



APPLICATION ACCEPTED: November 9, 2011  
BOARD OF ZONING APPEALS: January 25, 2012  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

January 18, 2012

### STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-LE-098

Concurrent with VC 2011-LE-014

#### LEE DISTRICT

**APPLICANT:** Sounin Phonemany

**OWNERS:** Sounin Phonemany  
Souksakhone Phonemany

**SUBDIVISION:** Springfield

**STREET ADDRESS:** 6007 Craig Street

**TAX MAP REFERENCE:** 80-3 ((2)) (10) 27

**LOT SIZE:** 8,825 square feet

**ZONING DISTRICT:** R-4

**ZONING ORDINANCE PROVISIONS:** 8-914 & 18-401

**SPECIAL PERMIT PROPOSAL:** To permit reduction to minimum yard requirements based on error in building location to permit a roofed deck to remain 21.0 feet from the front lot line.

**VARIANCE PROPOSAL:** To permit greater than 30 percent minimum rear yard coverage and accessory storage structure greater than 200 square feet in gross floor area.

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

O:\dhedri\Special Permits\1-25\ SP 2011-LE-098 & VC 2011-LE-014 (error & coverage)\SP 2011-LE-098 & VC 2011-LE-014 staffreport.doc  
Deborah Hedrick

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

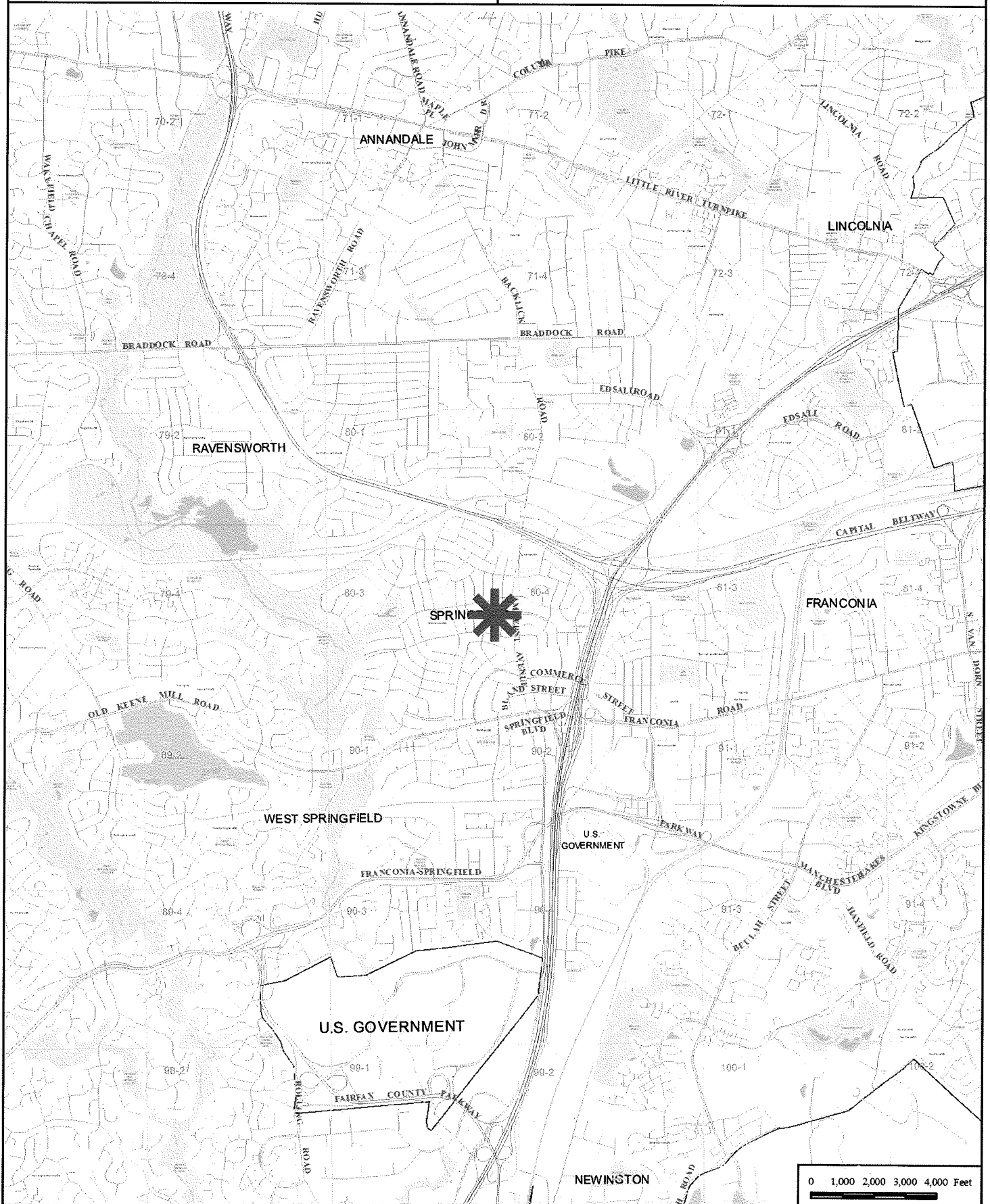
SP 2011-LE-098

SOUNIN PHONEMANY

# Variance Application

VC 2011-LE-014

SOUNIN PHONEMANY



# Special Permit

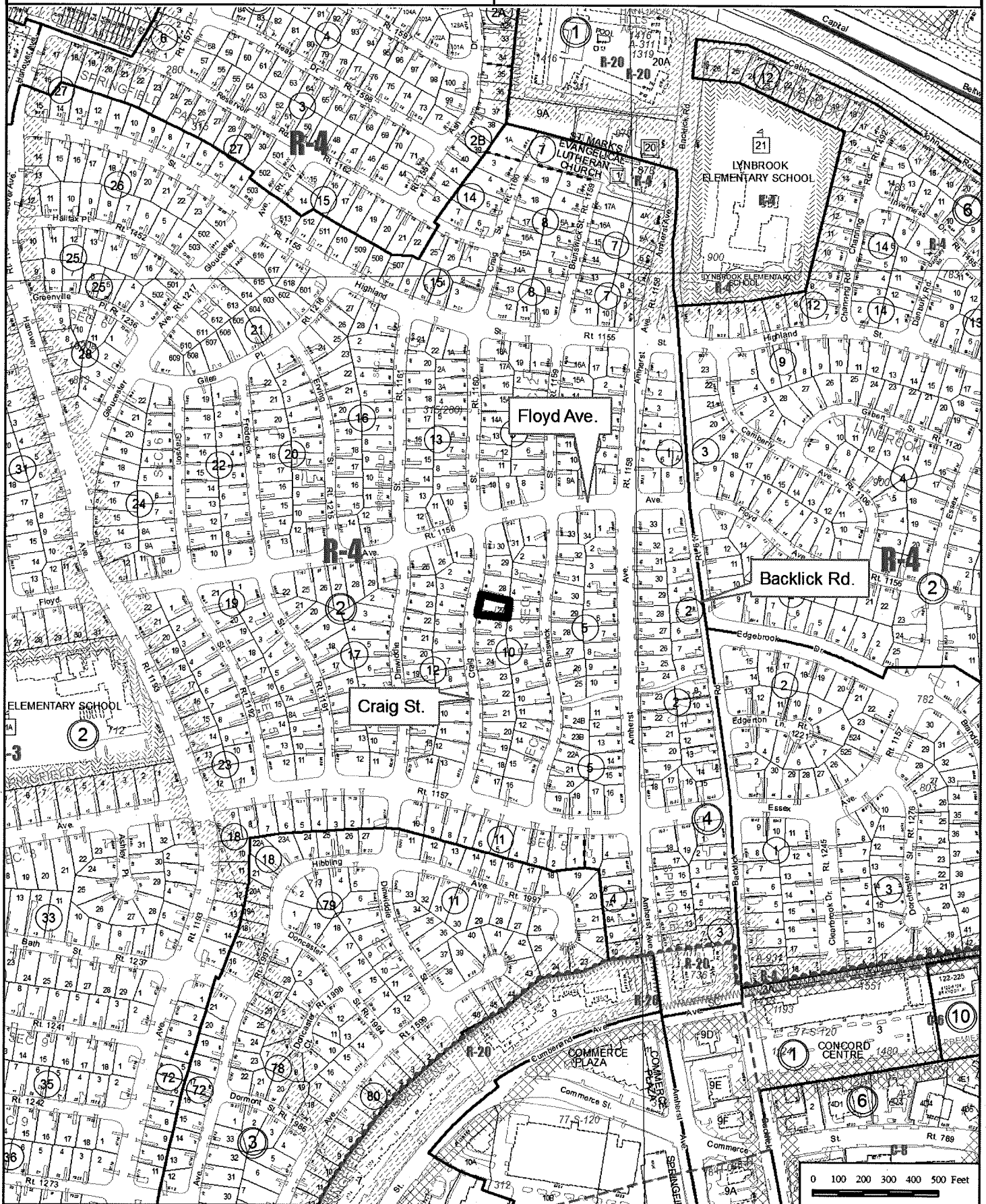
SP 2011-LE-098

SOUNIN PHONEMANY

# Variance Application

VC 2011-LE-014

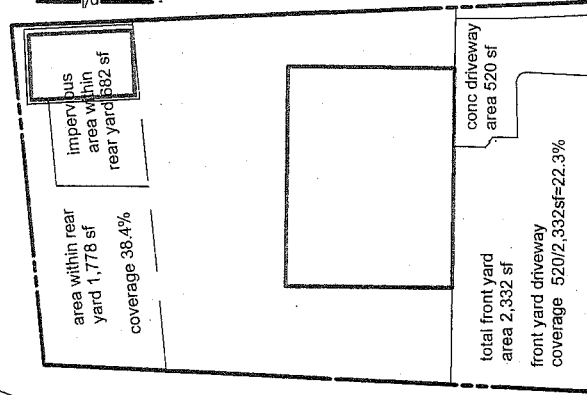
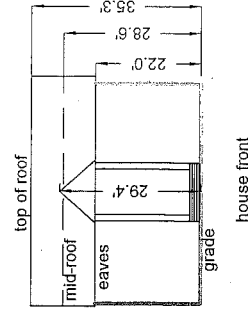
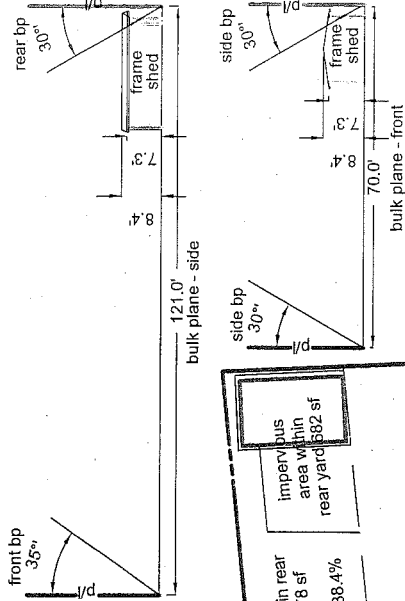
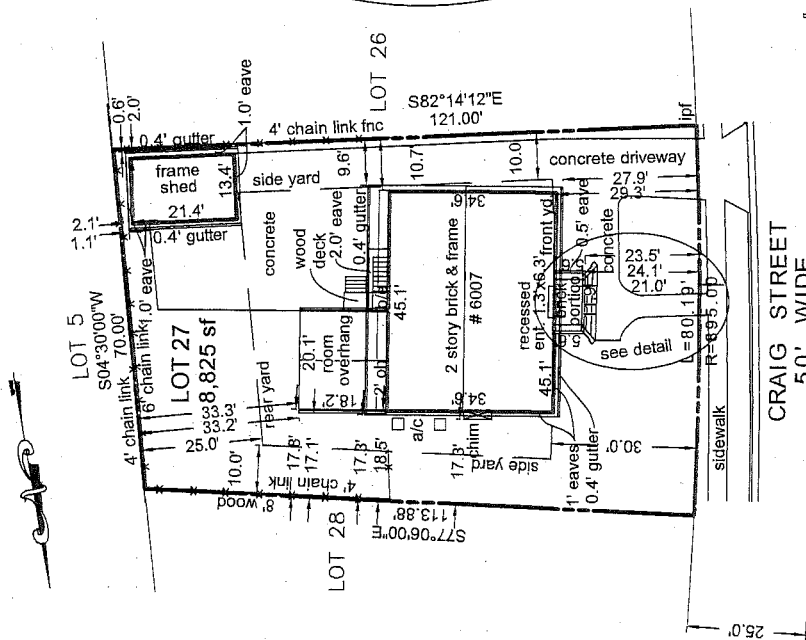
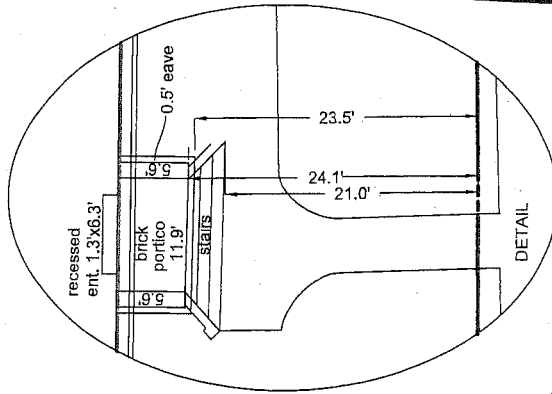
SOUNIN PHONEMANY





OWNER:  
Sounin Phonemany, Souksakphone Phonemany  
6007 Craig Street  
Springfield, Virginia 22150

1. The property shown here on is located on Fairfax County tax map no. 080-3-02100027 and is zoned R-4.
2. This property is serviced by public sewer and water and gas.
3. The existing gross floor area is 4681 sf, with a floor/area ratio of 0.53.
4. There are no easement 25' or larger in width on this property, or major underground easements.
5. There is no flood plain or resource protection area in the vicinity of this site.
6. There are no burial sites apparent on the property.
7. Proposed use is residential.
8. Dwelling height is 28'6"
9. eoh eave overhang
10. ohi overhead lines
11. c/s concrete stoop
12. cl centerline
13. lpf iron pipe found



VARIANCE PLAT

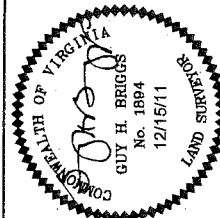
LOT 27, BLOCK 10, SECTION 1

SPRINGFIELD

LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

August 25, 2011 rev September 26, 2011 rev December 15, 2011 SCALE: 1"=25'

**APEX SURVEYS**  
7720 VICEROY STREET 703 866-1236  
SPRINGFIELD, VIRGINIA 22151



World • United States • VA • Fairfax Co. • Central Springfield

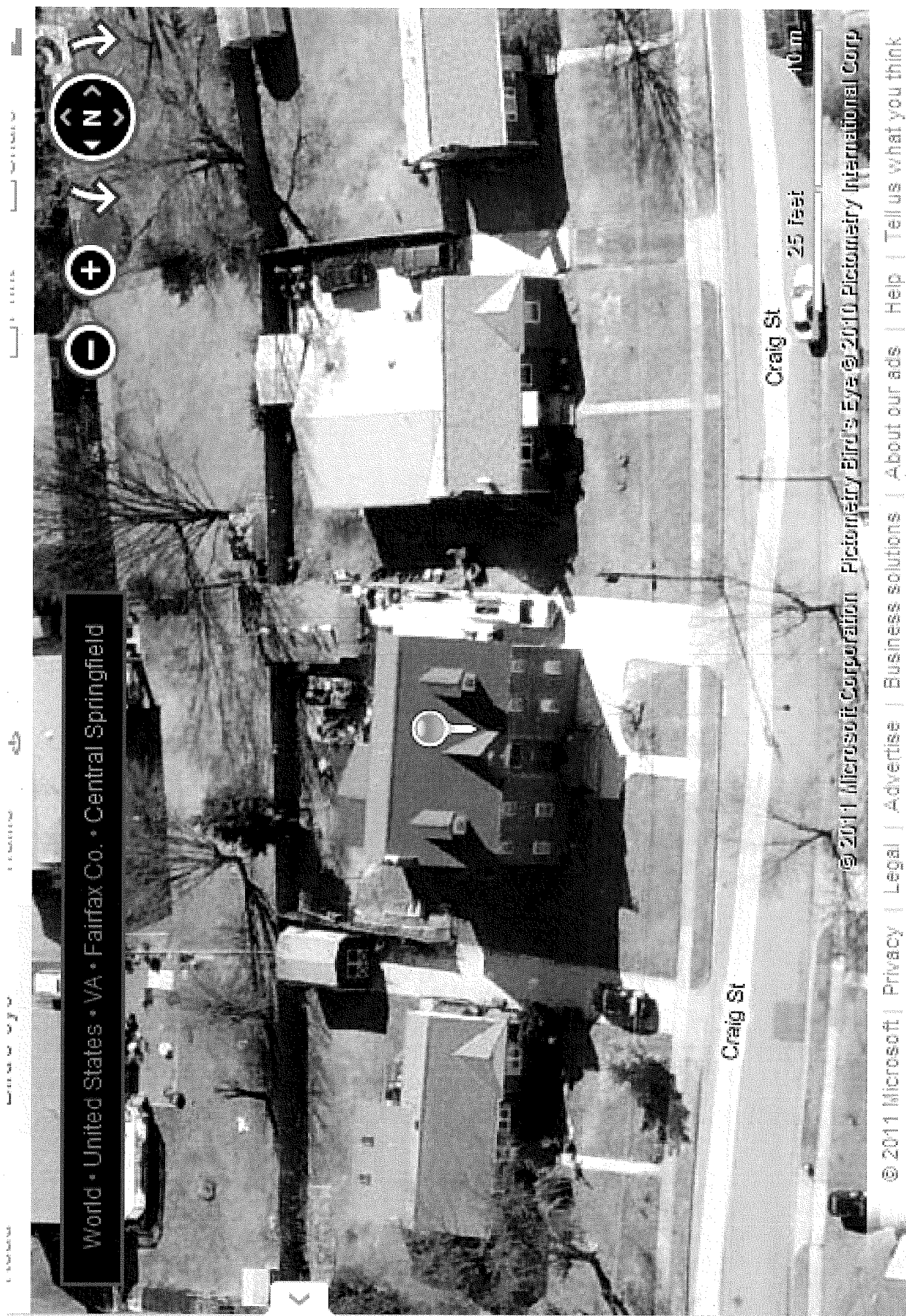
Craig St

25 feet 10 m

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Craig St

25 feet

10 m

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Craig St

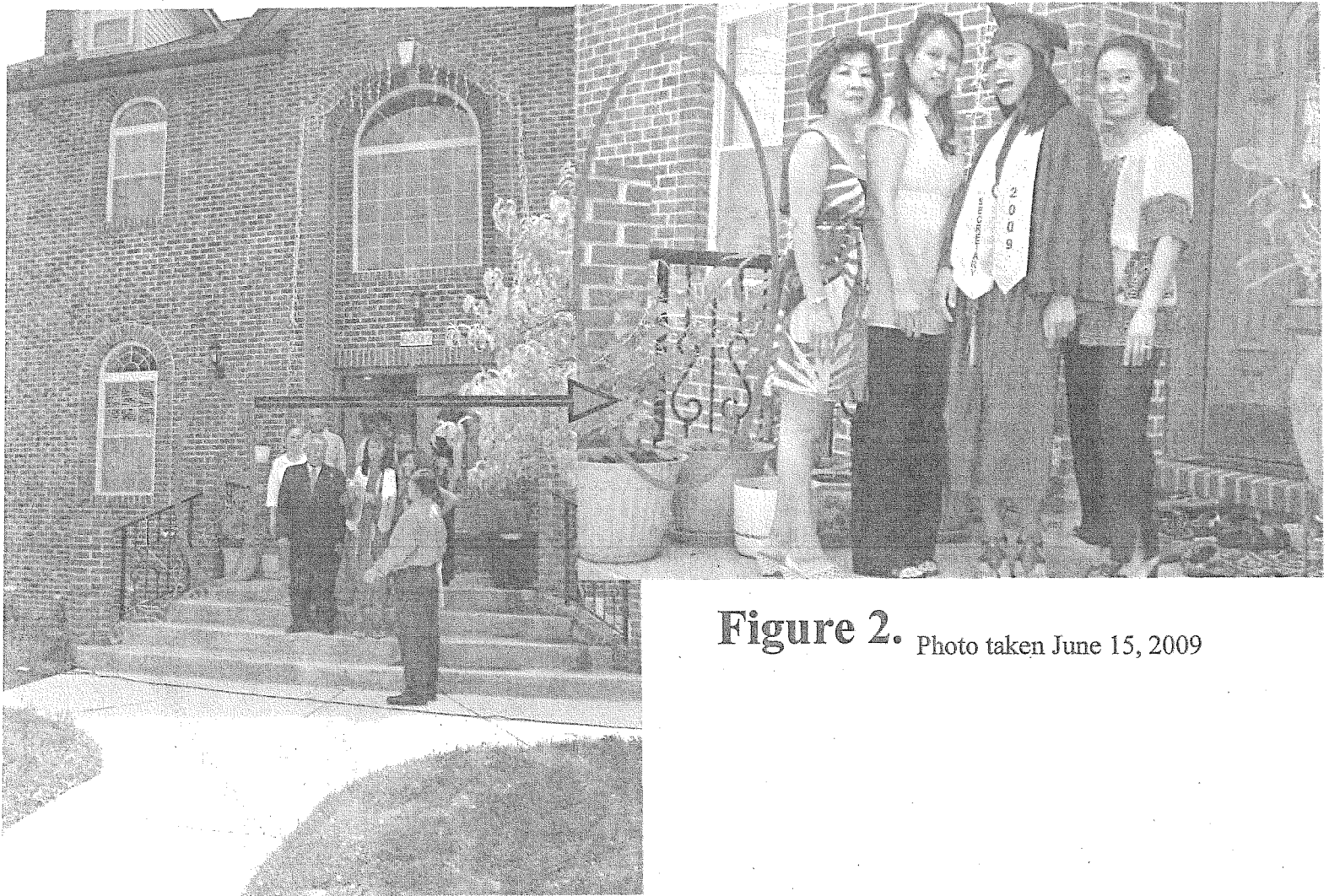
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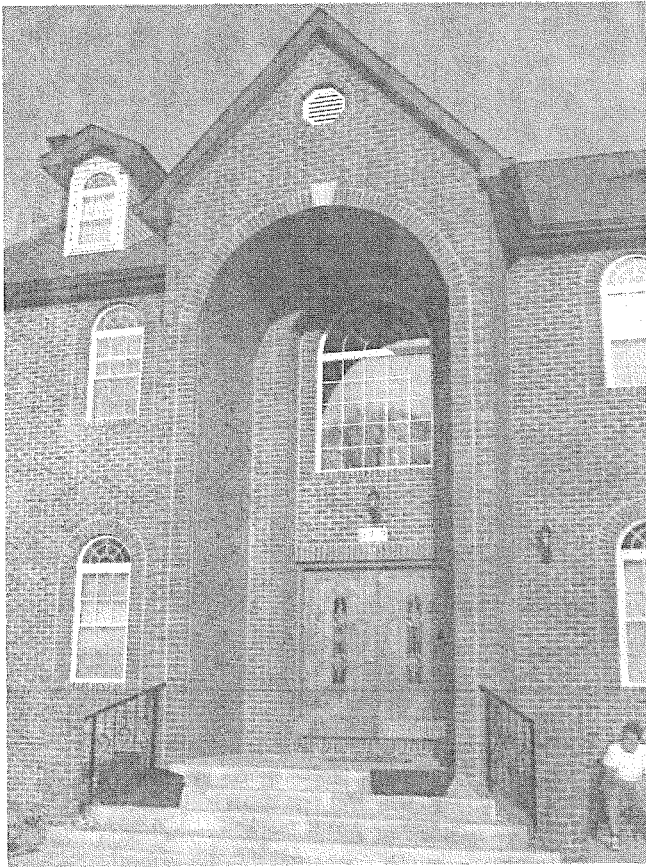
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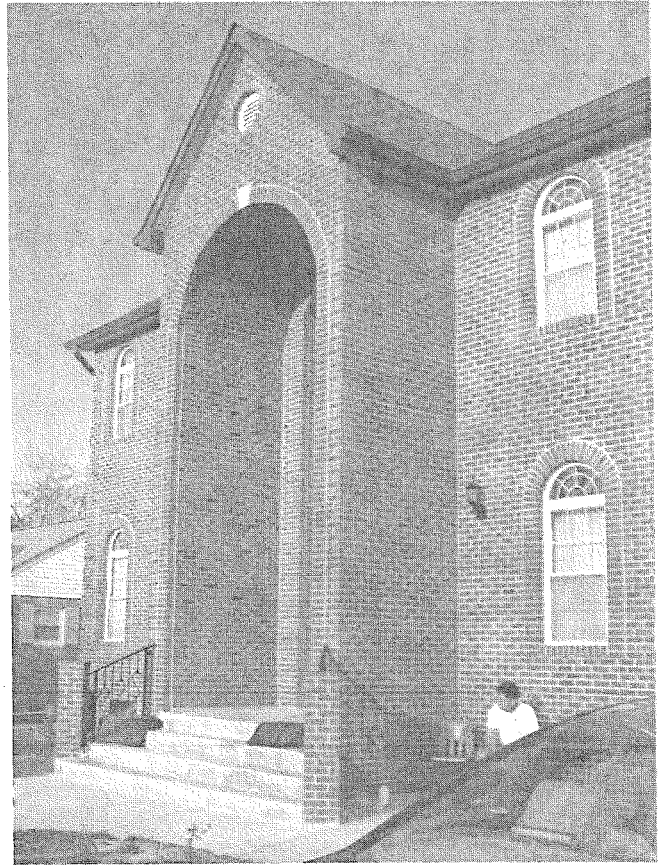
**Figure 2.** Photo taken June 15, 2009

**Figure 1.** Photo taken June 15, 2009

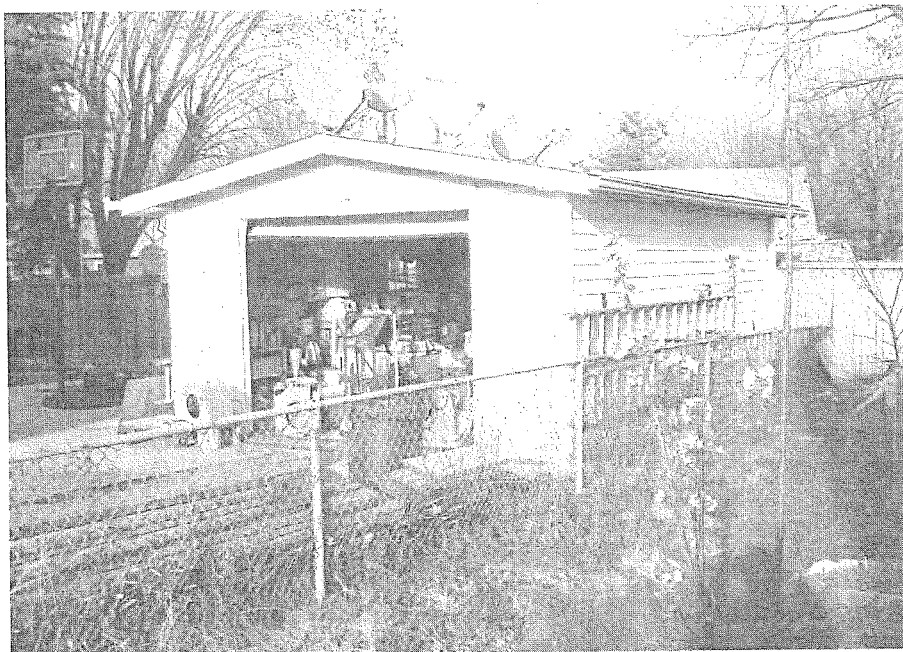
**AFTER**



**Figure 3.** Photo taken April 4, 2011.

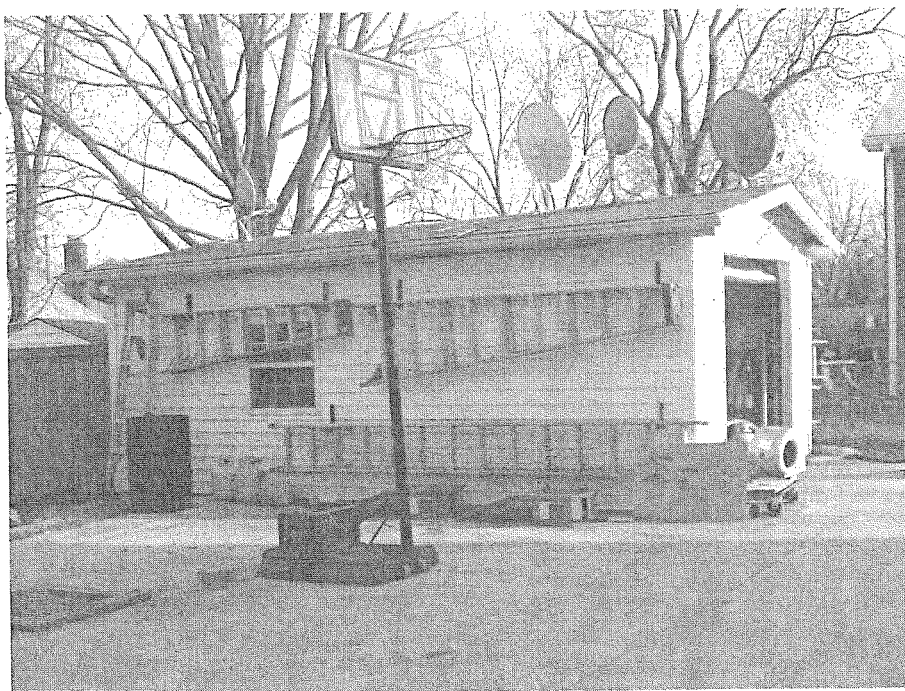


**Figure 4.** Photo taken April 4, 2011.



**Figure 5.**

Photo taken April 4, 2011.



**Figure 6.**

Photo taken April 4, 2011.



**Figure 7.**

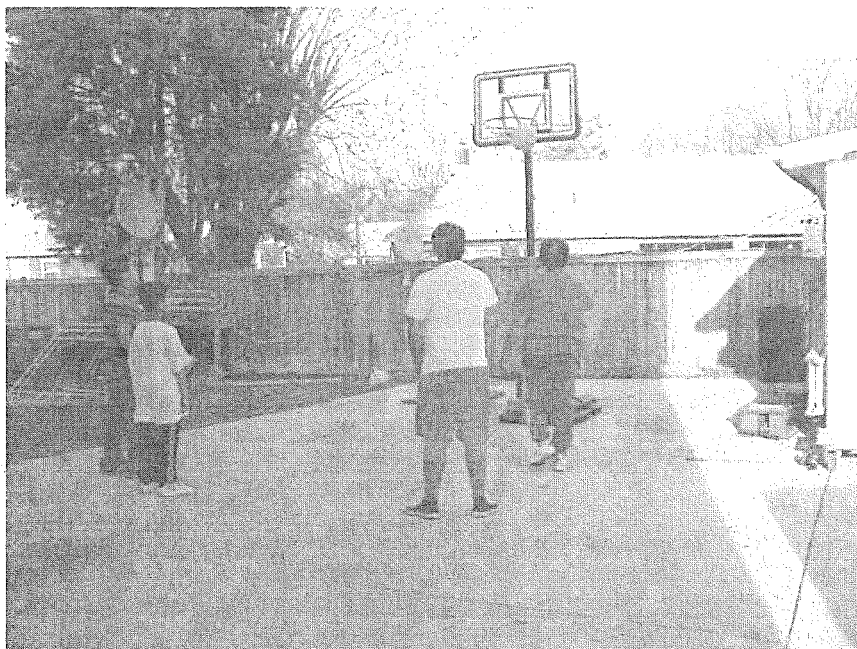


Photo taken April 4, 2011.

1. in front of the house - neighbor's



2. in front of the house - neighbor's



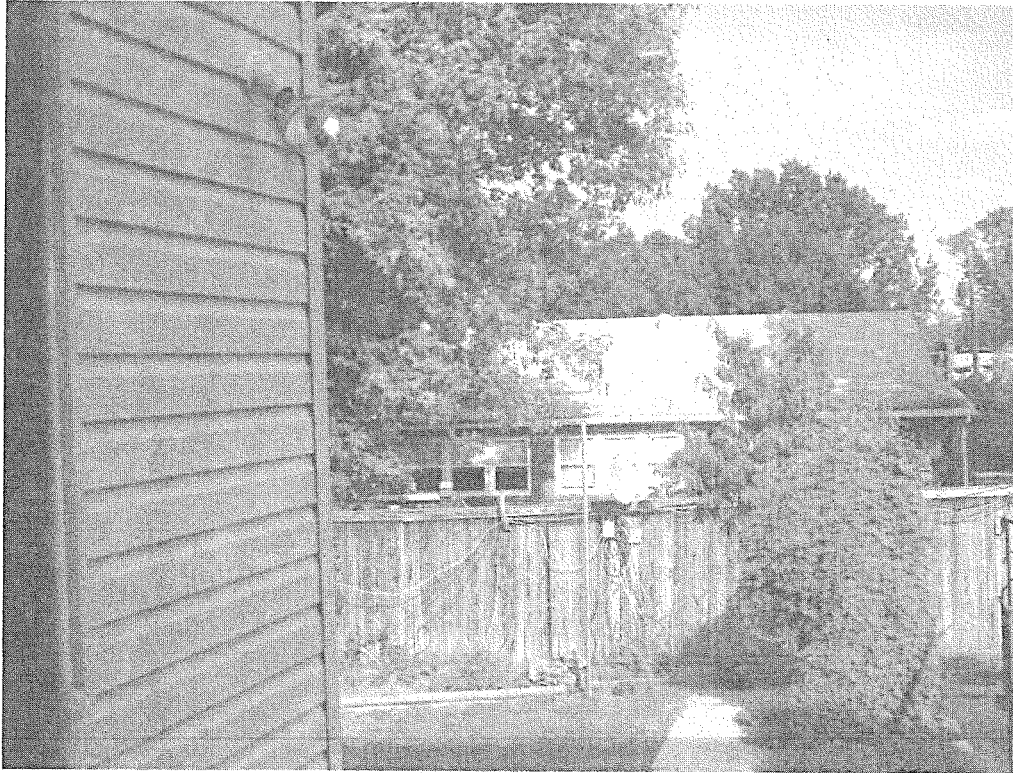
5. right side of the house - neighbor's



6. right side of the house - neighbor's

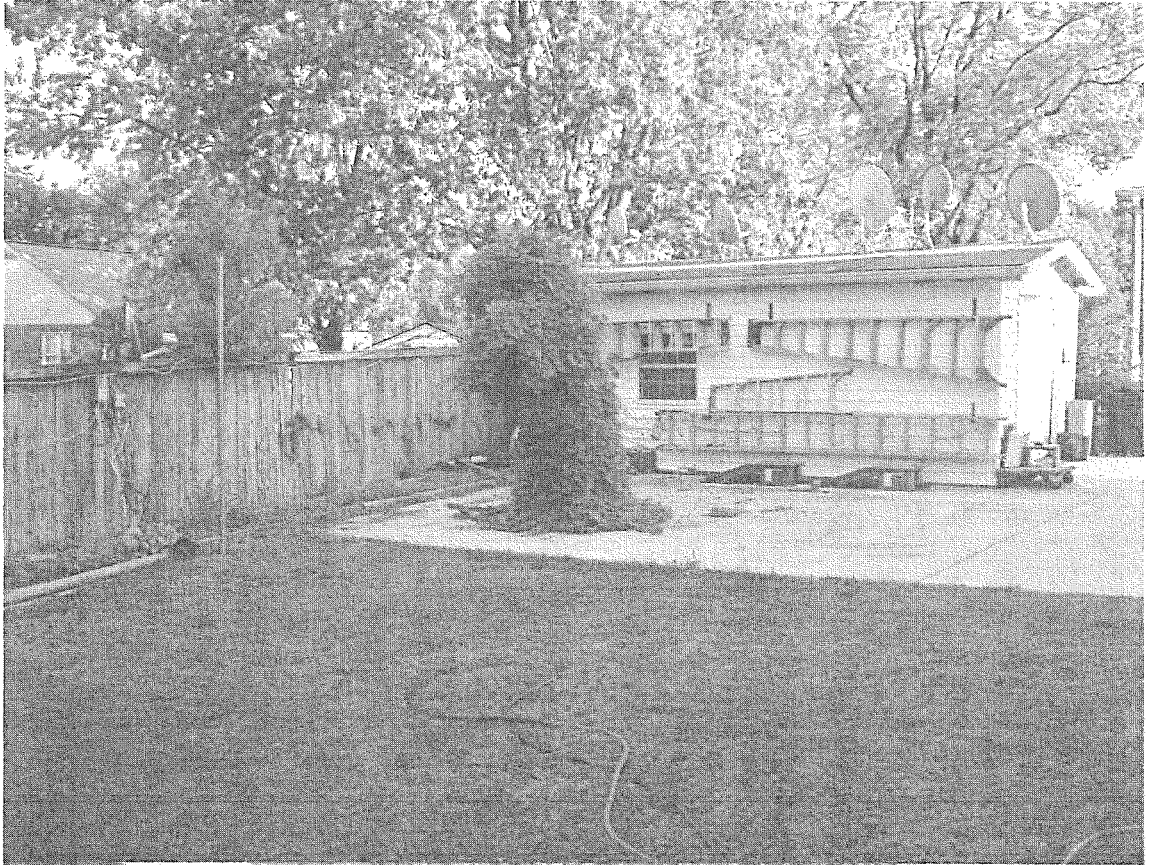


7. back of the house - neighbor's

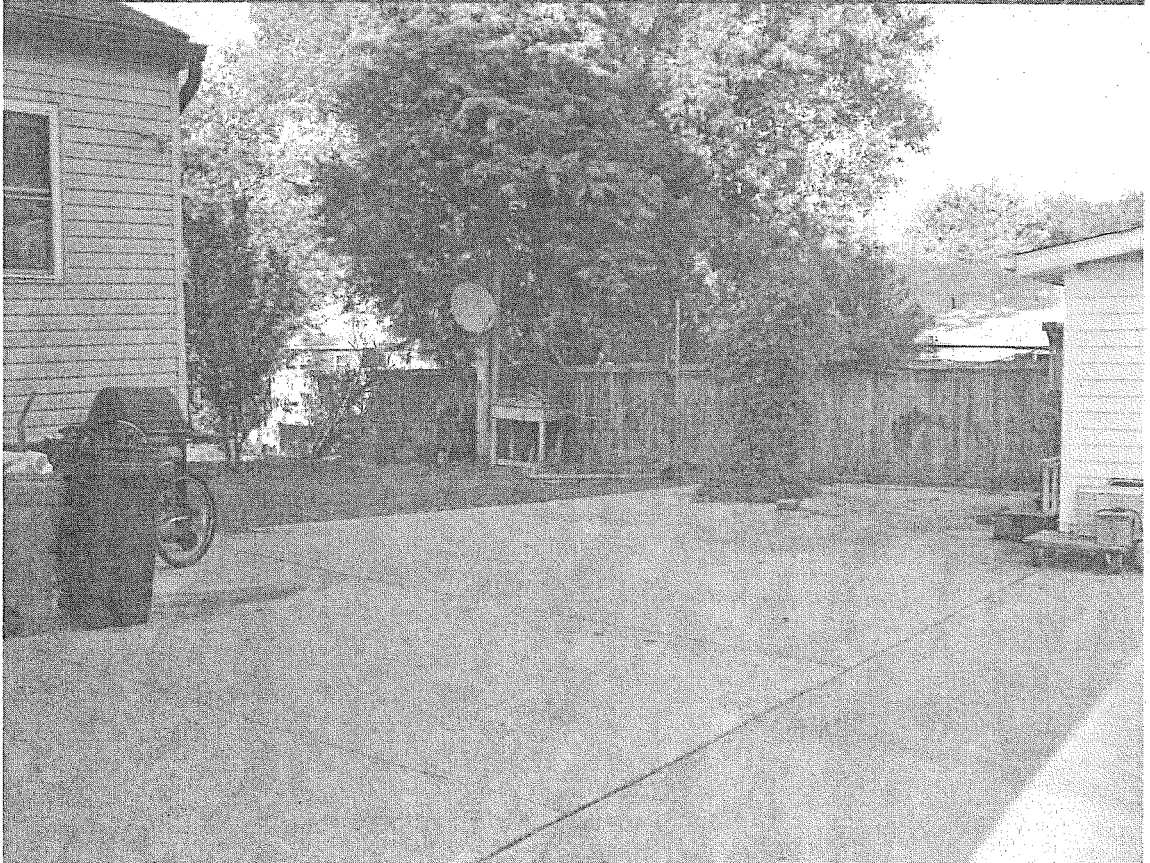




4. View from the left side of the yard showing the shed and concrete portion

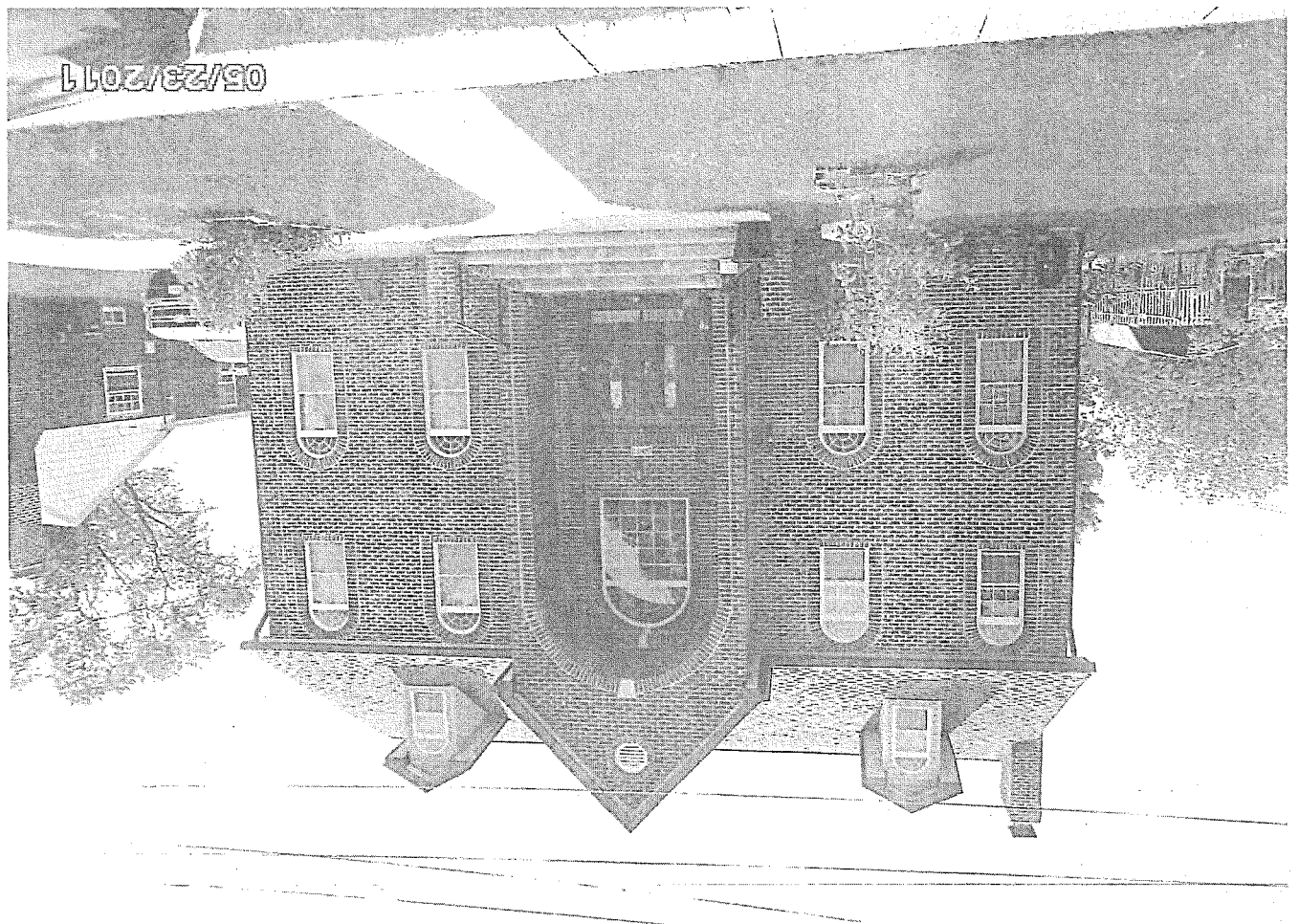


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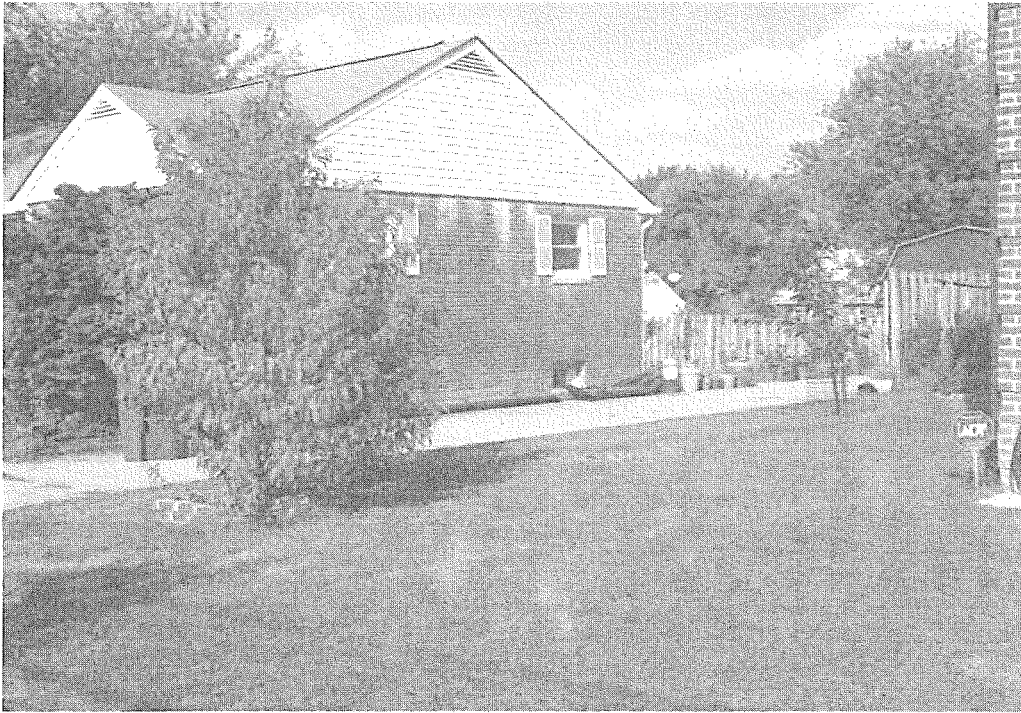
4

3. Angled view of the backyard and concrete addition to the yard





3. left side of the house - neighbor's



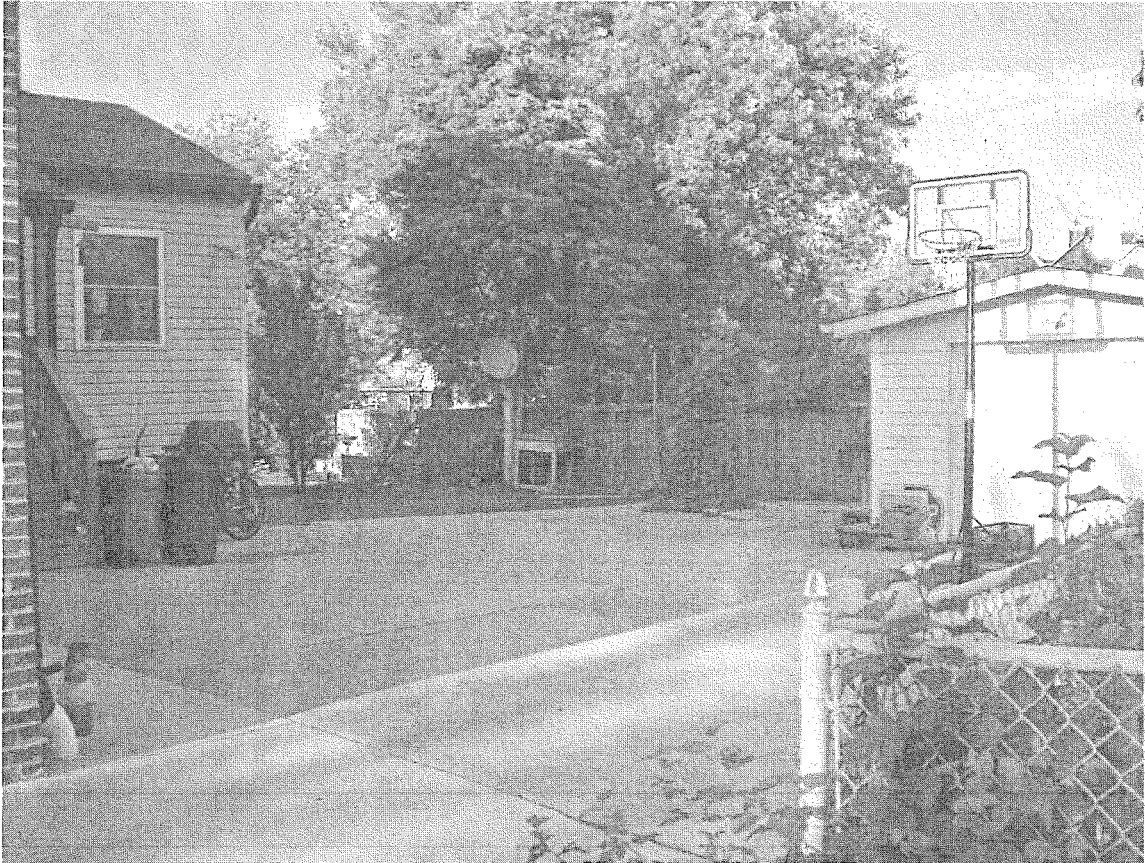
4. left side of the house - neighbor's



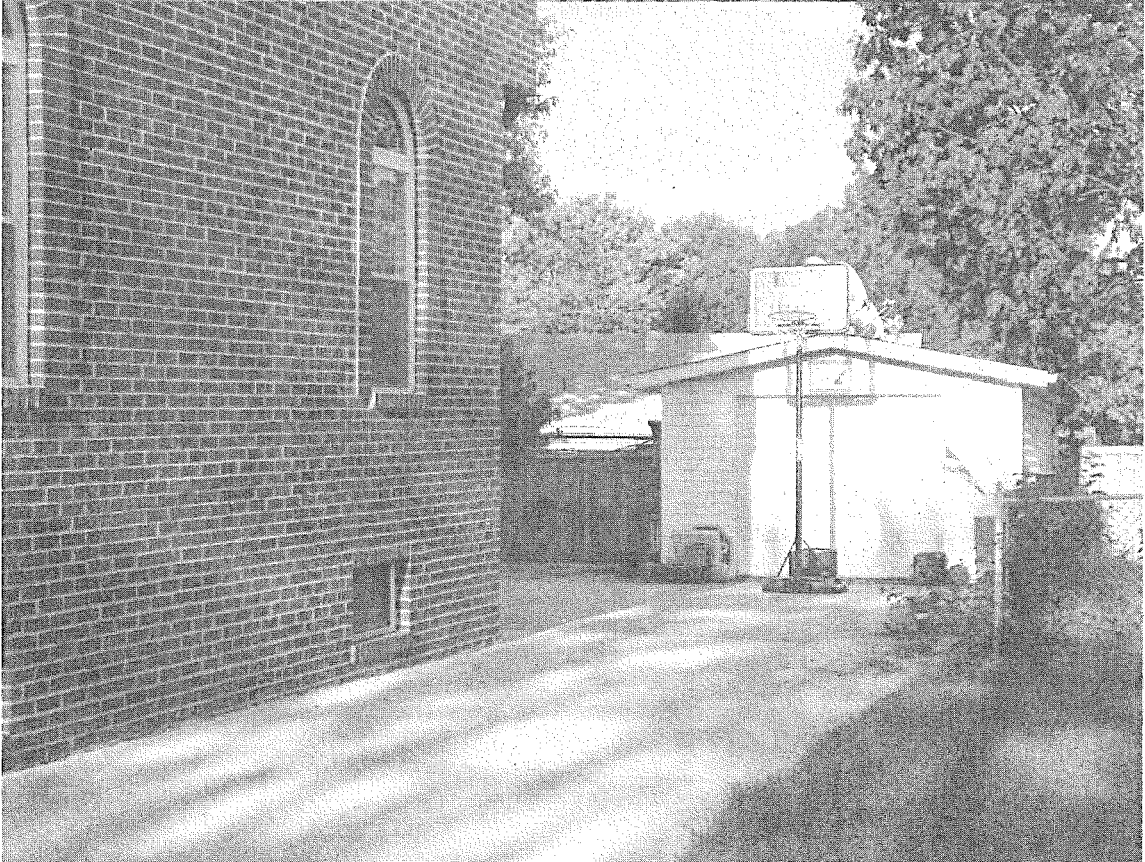


1. Angled view of the backyard and concrete addition to the yard

1

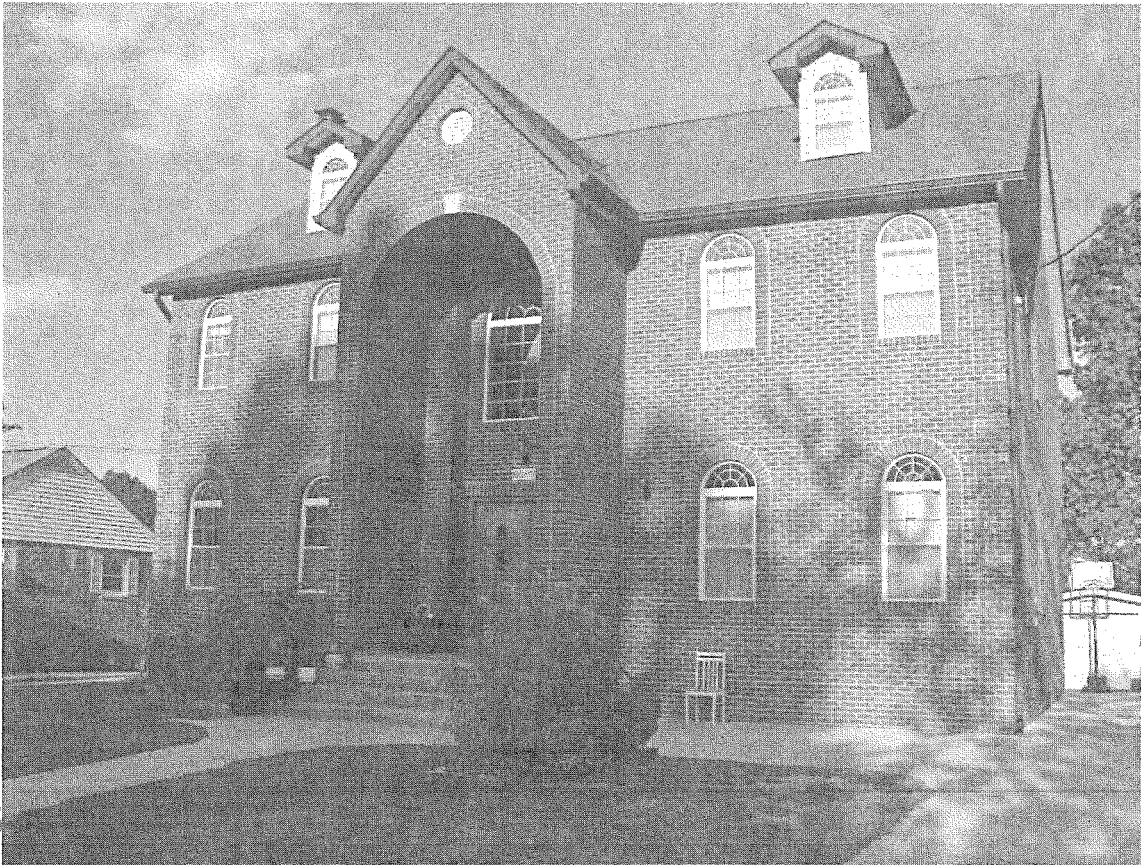


2



2. View from the driveway into the backyard showing the concrete

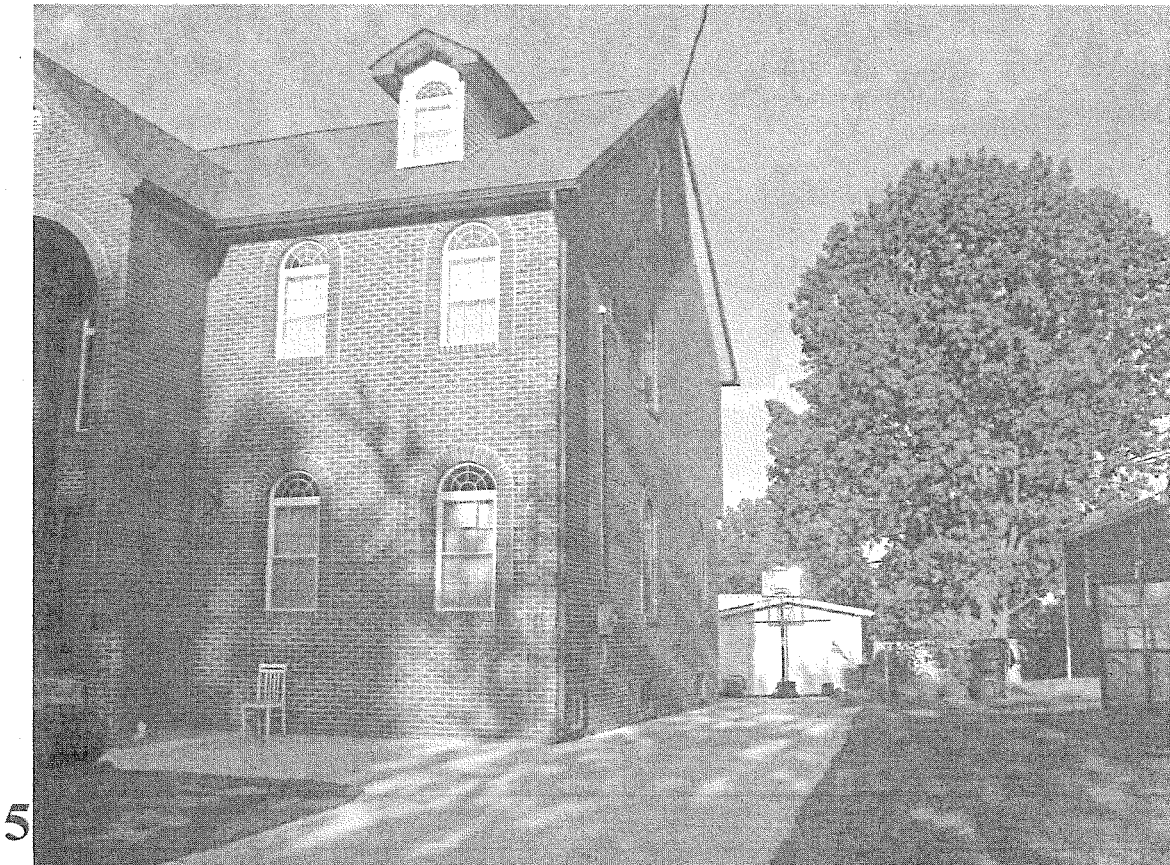
4. View of the front of the house showing the portico



3. View of the front of the house showing the portico above the stoops



6. Right side of the house showing the driveway leading into the backyard



5. Right side of the house showing the portico and the concrete driveway

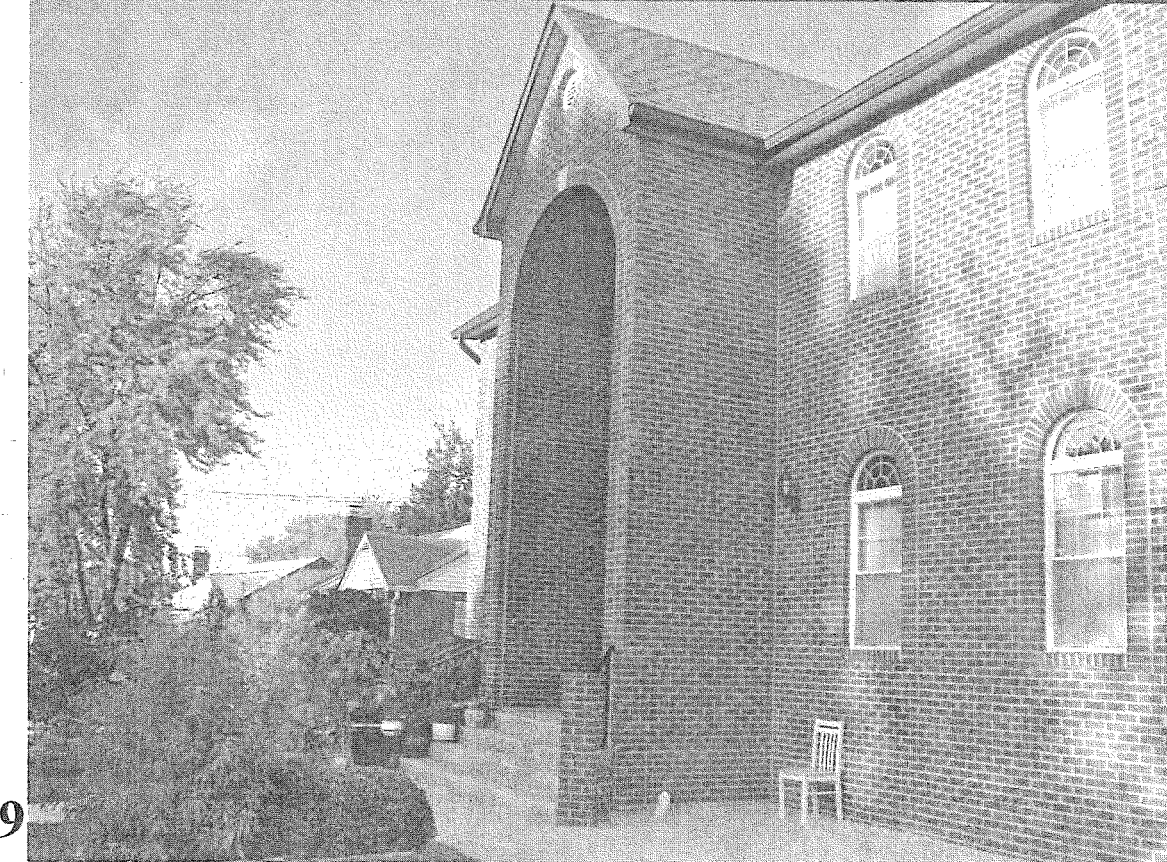
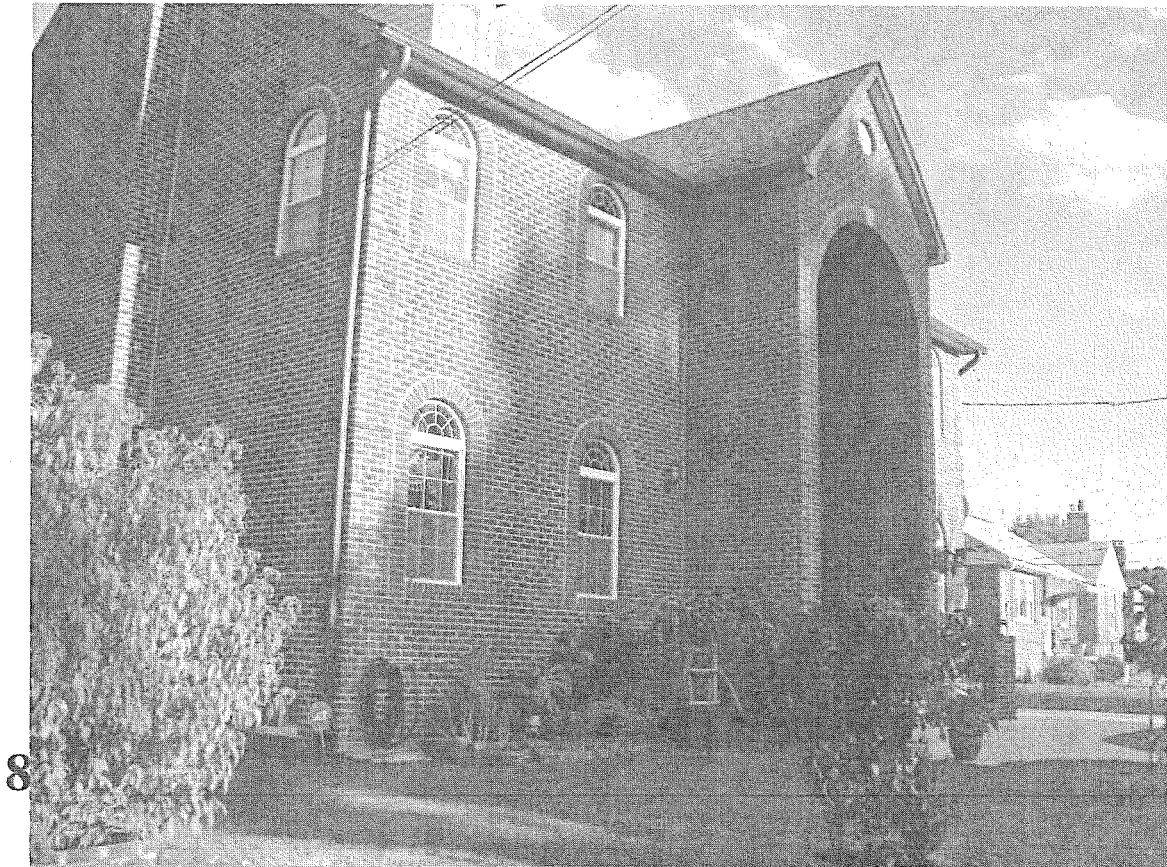
7



7. Side view of the portico from the right

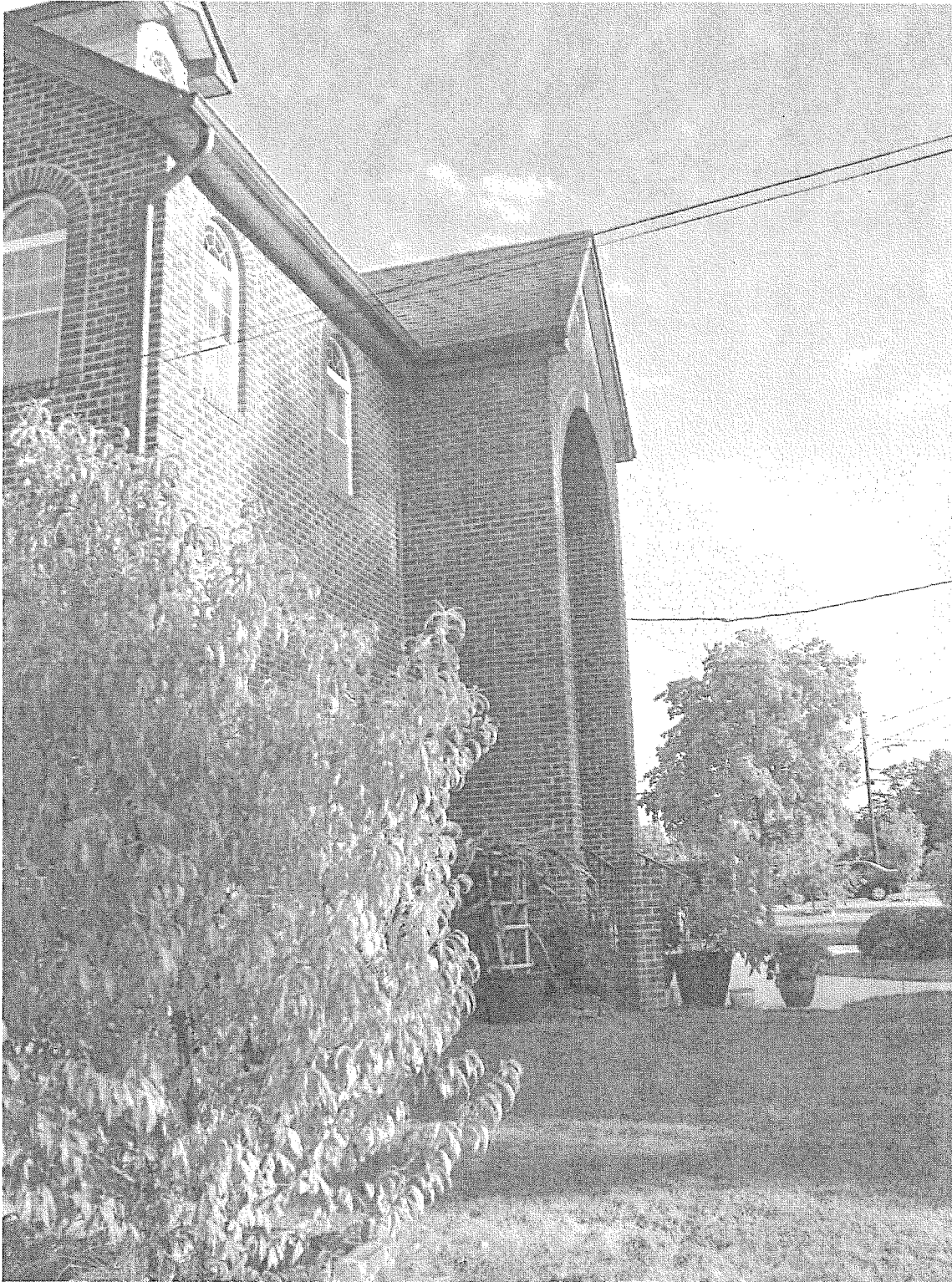


8. Angled view of the portico



9. Angled view of the portico from the right

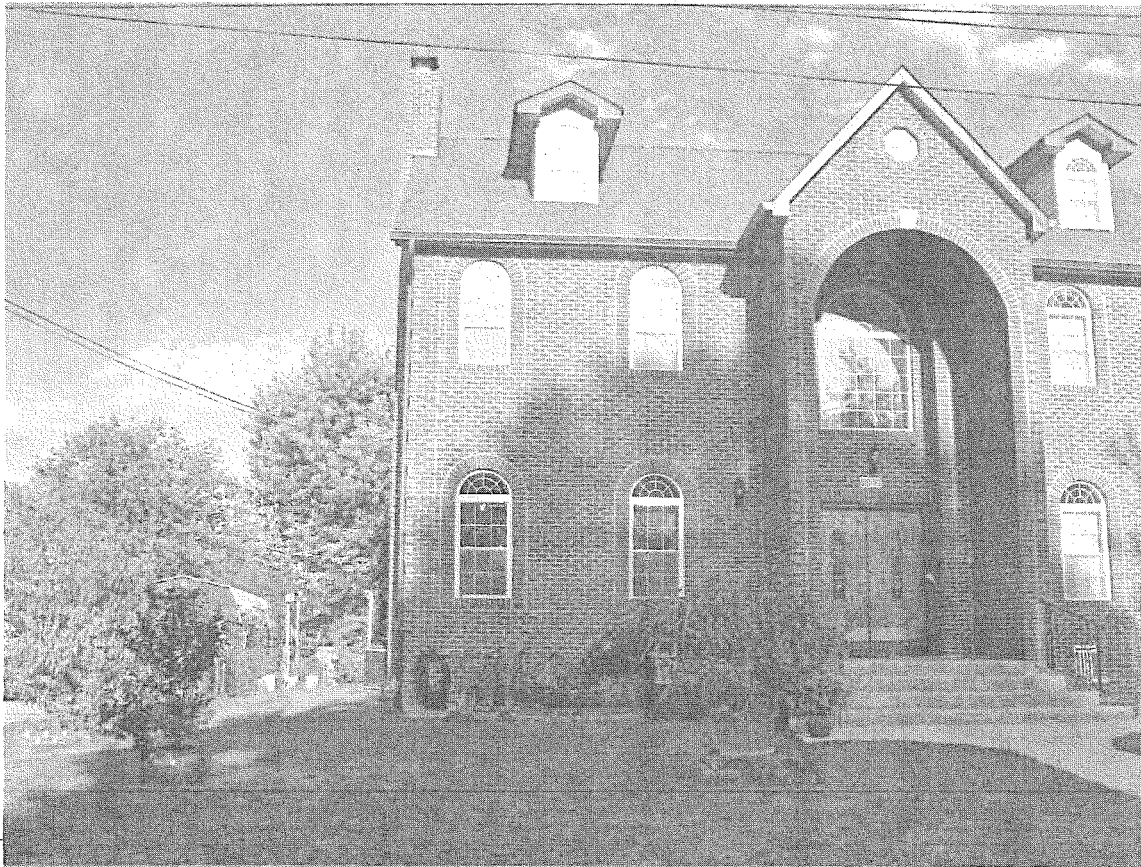
10



10. Side view of the portico from the left



2. Left side of the house showing the portico and the side and backyard



1. Angled view of the left side of the house showing the side and backyard





## DESCRIPTION OF THE APPLICATIONS

### Description of Special Permit Request

The applicant requests special permit approval for a reduction to the minimum yard requirements based on an error in building location to permit a roofed deck, specifically, a portico (covered front stoop), with stairs that exceed 10 feet in width, to remain 21.0 feet, at its closest point, from the front lot line.

	Structure	Yard	Min. Yard Req.*	Structure Location	Amount of Error	Percent of Error
<b>Special Permit Request</b>	<b>Roofed Deck</b>	Front	30.0 feet	21.0 feet	9.0 feet	30%

\*Minimum yard requirement per Section 3-407

This application was also originally accepted and advertised to permit an accessory storage structure, depicted as a "Frame Shed" on the special permit plat, to remain 1.1 feet from the rear lot line and 0.6 feet from the southern side lot line.

Section 10-104 of the Zoning Ordinance states that an accessory storage structure which does not exceed eight and one-half (8 ½) feet in height may be located in any part of any side yard or rear yard. Therefore, the error in building location for the 8.4 foot in height accessory storage structure is not necessary.

### Description of Variance Requests

The applicant also requests variance approval to permit 1) greater than 30 percent minimum rear yard coverage on the application property; and, 2) an accessory storage structure greater than 200 square feet in gross floor area. Currently, the impervious area in the minimum required rear yard on this site measures 682 square feet, or 38.4% rear yard coverage. The coverage area includes the extension of the concrete driveway which originates from the front of the lot alongside the southern side lot line, creating a concrete patio in the rear yard, in addition to the impervious area calculated for the accessory storage structure. The frame shed measures approximately 290 square feet in size.

## EXISTING SITE DESCRIPTION

The application property is zoned R-4, is located in the Springfield subdivision, contains 8,825 square feet and is developed with a two and one-half story, single-family detached dwelling constructed of brick in 2007. Access to the site is provided from Craig Street via an existing concrete driveway that extends alongside the dwelling and into the rear yard. There is no significant vegetation on the lot. A combination of 4 foot chain link and 8 foot wood fencing surround the side and rear yards. A 290 square foot accessory storage structure is located in the southeastern corner of the rear yard. The site is surrounded by single-family detached homes along all property lines.

## CHARACTER OF THE AREA

	Zoning	Use
North	R-4	Single family detached dwellings
South	R-4	Single family detached dwellings
East	R-4	Single family detached dwellings
West	R-4	Single family detached dwellings

## BACKGROUND

According to County records, the following is the history of this site:

- A one story, brick with basement, single family detached dwelling was constructed in 1952
- The applicant purchased the property in 1996
- In May of 1996, the applicant obtained a building permit to construct a 20 x 18 foot deck on the rear of the dwelling
- In January of 2001, the applicant obtained a building permit to add a one story, 360 square foot addition (enclosure of previously approved deck) to be located 12 feet from the northern side lot line and 35 feet from the rear lot line. On this permit application and plat a small "metal shed" appeared in the southeastern corner of the rear yard
- In August, 2005, the applicant obtained a building permit to construct a 5 x 45 foot, one-story addition in front of the existing dwelling and to add a one-story addition over the existing first level of the dwelling.

- In May, 2010, the applicant obtained a building permit to construct a 5 x 7 foot front portico, 16 feet in height, to be located 35 feet from the front lot line. Since the front yard requirement is 30 feet in the R-4 Zoning District, and the permit application indicated the proposed construction would be no closer than 35 feet from the front lot line, County permit staff did not require a "Setback Certification" for the construction of the front portico. However, according to the applicant's statement of justification, during a final inspection of the constructed portico, the County inspector required the applicant to obtain a Setback Certification due to its location to the front lot line. Given that the front portico did not pass final inspection due to a failed Setback Certification, staff has included a development condition which addresses this issue. Building permit history is attached as Appendix 5.
- On December 29, 2010, the applicant submitted a Setback Certification request to the Zoning Administration Division which included a newly prepared plat dated December 21, 2010, showing the location of all structures and their distances from lot line lines.
- On January 18, 2011, in a letter to the applicant, the Zoning Administration Division failed the Setback Certification for the front portico due to its location of 21.0 feet to the front lot line. Also included in this letter, County staff informed the applicant that the placement of a large frame garage, as shown on the plat, was in violation of Zoning Ordinance regulations, also noting that the rear yard coverage exceeded 30% which is also in violation of the Zoning Ordinance. A copy of the Setback Certification letter is attached as Appendix 6.

It was also noted in this letter that the applicant needed to request an Administrative Reduction for the location of the dwelling. As shown on the variance plat, the dwelling is located 29.3 feet from the front lot line, where 30 feet is required. The amount of error is 0.7%.

- On December 27, 2011, staff forwarded the request for an Administrative Reduction to the Zoning Administration Division for their review and approval. The Zoning Administration Division granted the Administrative Reduction on the property to permit the dwelling to remain 29.3 feet (30 feet required) from the front lot line. A copy of the approved plat is located at the front of the staff report.
- On February 2, 2011, the applicant was issued a Notice of Violation (NOV) which outlined all violations on the subject property.

In addition to the Zoning violations, the NOV also stated that the construction of the approximate 290 square-foot storage structure required a building permit. According to the applicant's statement of justification, in 1997, after adding the concrete to the rear yard, he replaced a smaller metal shed with the existing frame shed. The applicant indicates that he constructed the frame shed himself and did not know that a building permit was required since it was replacing an existing structure. As shown in the building permit history, the previous metal shed appeared to be much smaller than the existing 290 square foot frame shed.

Since the frame shed exceeds 200 square feet in size, staff has included a development condition which would require that all applicable permits and final inspections be obtained for the accessory storage structure if this application is approved.

During review of the application, it was noted that the Tax Map reference number was listed incorrectly on the February 2, 2011 NOV. Therefore, on December 29, 2011, the Department of Code Compliance staff rescinded and reissued a NOV to the applicant due to the mistake in the Tax Map reference number only. Both copies of the NOV's are attached as Appendix 7.

A copy of the submitted plat titled "Variance Plat, Lot 27, Block 10, Section 1, Springfield" prepared by APEX Surveys, dated August 25, 2011, as revised through December 15, 2011, is included at the front of the staff report.

Although County records indicate that there have been multiple variance and special permit applications approved in the immediate vicinity of the application site, none of the requests have been for accessory storage structures exceeding 200 square feet in gross floor area; rear yard coverage exceeding 30%; or, error in building location with regard to the front lot line.

## **ZONING ORDINANCE REQUIREMENTS (See Appendix 8)**

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

- Sect. 8-006      General Special Permit Standards
- Sect. 8-903      Group 9 Standards
- Sect. 8-914      Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location
- Sect. 18-404      Required Standards for Variances

This special permit and variance are subject to Sects. 8-006, 8-903, 8-914 and 18-404 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 8. Subject to development conditions, the special permit must meet these standards.

## **CONCLUSION**

If it is the intent of the BZA to approve these applications, staff suggests the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 and Appendix 2 of this report, Proposed Development Conditions.

## **APPENDICES**

1. Proposed Special Permit Development Conditions
2. Proposed Variance Development Conditions
3. Applicant's Affidavits
4. Applicant's Statement of Justification
5. Building Permit History
6. Setback Certification letter dated January 18, 2011
7. Notice of Violations dated December 29, 2011 and February 2, 2011
8. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS**

**SP 2011-LE-098**

**January 18, 2012**

1. This special permit is approved for the location of a roofed deck (portico) as shown on the plat prepared by APEX Surveys, dated August 25, 2011, as revised through December 15, 2011, as submitted with this application and is not transferable to other land.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.



**PROPOSED DEVELOPMENT CONDITIONS**

**VC 2011-LE-014**

**January 18, 2012**

1. This variance is approved for the rear yard coverage (38.4%) on the property and accessory storage structure (frame shed) greater than 200 square feet in gross floor area, as shown on the plat prepared by APEX Surveys, dated August 25, 2011, as revised through December 15, 2011, submitted with this application and is not transferable to other land.
2. All applicable permits, including building permit and electrical permit, and final inspections for the frame shed shall be obtained within 90 days of approval of this variance application.
3. All applicable permits and final inspections for the front portico shall be obtained within 90 days of approval of this variance application.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards including requirements for building permits.

Application No(s): VC 2011-LE-014  
 (county-assigned application number(s), to be entered by County Staff)

## SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9-22-11  
 (enter date affidavit is notarized)

I, SOUNIN PHONEMANY, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one) ☒ applicant  
☐ applicant's authorized agent listed in Par. 1(a) below

112493

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
---	--	---

SOUNIN PHONEMANY	6007 CRAIG STREET SPRINGFIELD, VA. 22150	OWNER/ APPLICANT
Souksakhone Phonemany	"	Title Owner

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s):

VC 2011-LE-014  
(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 9-22-11  
(enter date affidavit is notarized)

112493

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

VC 2011-LE-014  
(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 9-22-11  
(enter date affidavit is notarized)

112493

- 1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

VC 2011-LE-014  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 9-22-11  
(enter date affidavit is notarized)

112493

1(d). One of the following boxes must be checked:

☒ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

~~SOUNIN PHONEMANY OWNER~~  
~~SOUKSAKHONE PHONEMANY OWNER~~

S.P.

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

S.P.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

VC 2011-LE-014

(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

9-22-11

(enter date affidavit is notarized)

112493

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)**

NONE

**(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)**

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☒ Applicant

☐ Applicant's Authorized Agent

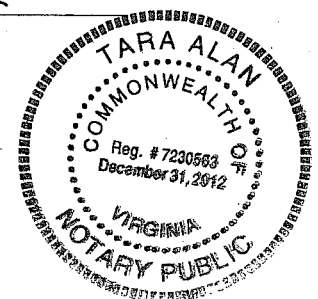
SOUNIN PHONEMANY

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 22 day of SEP, 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Tara Alan  
Notary Public

My commission expires: 12/31/2012



Application No.(s):

SP 2011-LE-098

(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

06/17/2011

(enter date affidavit is notarized)

I, SOUNIN PHONEMANY, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)

☒

applicant

☐

applicant's authorized agent listed in Par. 1(a) below

112461

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS**, and **LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

**NAME**

**ADDRESS**

**RELATIONSHIP(S)**

(enter first name, middle initial, and last name)

(enter number, street, city, state, and zip code)

(enter applicable relationships listed in **BOLD** above)

SOUNIN PHONEMANY

6007 CRAIG STREET  
SPRINGFIELD, VA 22150

OWNER

SOUKSAKHONE PHONEMANY

( ) ( )

OWNER

(check if applicable)

☐

There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s):

SP 2011-LE-098  
(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 06/17/2011  
(enter date affidavit is notarized)

112461

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.



Application No.(s):

SP 2011-LE-098

(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

06/17/2011

(enter date affidavit is notarized)

112461

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2011-LE-098

(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 06/17/2011  
(enter date affidavit is notarized)

112461

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

SP 2011-LE-098

(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 06/17/2011  
(enter date affidavit is notarized)

112461

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

**(NOTE:** Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

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**WITNESS the following signature:**

(check one)

SOUNIN PHONEMANY

☒ Applicant

☐ Applicant's Authorized Agent

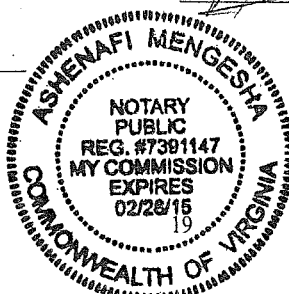
SOUNIN PHONEMANY

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 17th day of June, 2011, in the State/Comm. of Fairfax, County/City of Alexandria.

[Signature]  
Notary Public

My commission expires 02/28/2015





## Statement of Justification

The following is an explanation of the situation regarding the address at 6007 Craig Street, Springfield, VA 22150.

## ZONING ORDINANCE STANDARD FOR A VARIANCE

Pursuant to Section 18-404 of the Zoning Ordinance.

1. The subject property was acquired in good faith in 1996.
2. The subject property has the following characteristics (note: "the effective date of the Ordinance" is August 14, 1978):  
(C) Exceptional size at the time of the effective date of the Ordinance, regarding the concrete area exceeding 3 percent of the back yard.
3. The condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of the general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance. (As is.)
4. The strict application of this Ordinance would produce undue hardship. We did not know that we needed the permit.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity. Can not be seen from the front of the house and the street.
6. B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant that portion of the concrete that is safe.
7. That authorization of the variance will not be of substantial detriment to adjacent property, since 1997 (14 years).
8. The character of the zoning district will not be changed by the granting of the variance.
9. The variance will be in harmony with the intended spirit (playing basketball and personal recreation and having family gatherings) and purposes of this Ordinance and will not be contrary to the public interest.

Thank you.

RECEIVED  
Department of Planning & Zoning  
NOV 08 2011  
Zoning Evaluation Division

SOUNIN PHONEMANY  
SOUKSAKHONE PHONEMANY  
6007 CRAIG STREET  
SPRINGFIELD, VA 22150

#### CONCRETE

##### THE BZA DETERMINES THAT

1. THE PROPERTY IS IN GOOD FAITH. I DID THE CONCRETE. 2. IN MAY 1999. THE SHALLOWNESS OF THE CONCRETE IS 4 INCHES. THE NARROWNESS OF THE DRIVEWAY IS 10 BY 20. IT'S SAFE TO NEIGHBORS AND OTHER PROPERTIES. 3. THE REASON WHY I DID THE CONCRETE BECAUSE THE NEIGHBORS DID THE SAME THING. I DID IT SO MY KIDS CAN PLAY BASKETBALL. WE CAN SIT THERE AND HAVE BARBEQUES. 4. I DID NOT KNOW THAT I NEEDED TO GET A PERMIT TO DO THE DRIVEWAY. 5. PROPERTIES IS NICE AND I SAW THE SAME CONCRETE FROM THE NEIGHBORS. 6. THAT THE STRICT APPLICATION THAT IF I HAVE REMOVE AND THE NEIGHBORS HAVE TO REMOVE THERE CONCRETE TOO. 7. THAT AUTHORIZATION OF THE VARIANCE WILL NOT DAMAGE TO PROPERTIES AND OTHERS. 8. THE CHARACTER OF ZONING DISTRICT THAT WILL NOT BE CHANGED. 9. THE CONCRETE IS VERY NICE TO THE NEIGHBORS AND LOOK GOOD TO PUBLIC.

#### SHED

##### THE BZA DETERMINES THAT

1. THE PROPERTY IS IN GOOD FAITH THAT I DID THE SHED. 2. IN SEPTEMBER 1999 THE SHED IS 21 BY 13 FEET AND 7 FEET HIGH. 3. THE REASON I DID THE SHED BECAUSE THE TREE FROM THE NEIGHBOR FELL ON MY SHED. BEFORE I BUILT THE SHED I WENT TO CHECKED THE NEIGHBORS AND I DID SAME SIZES. I DID NOT ORDER THE SHED AND I REBUILT THE SHED BY BUILD MYSELF IS CHEAPER THAN ORDER. I USED TO STORE THINGS. I NEVER PARK THE CARS AND NOT A WORKSHOP. 4. I DID NOT KNOWN THAT I HAVE TO GET THE PERMIT TO REBUILT MY SHED BECAUSE IT WAS REPLACEMENT. 5. THE PROPERTIES IN SAME ZONING DISTRICT AND THE SAME VICINITY UNDUE HARDSHIP IS SHARED. WHEN I BUILT WANT TO LOOK NICE IN NEIGHBOR. 6. THAT THE STRICT APPLICATION THAT I HOPE I DO NOT HAVE REMOVE THE SHED. 7. THAT AUTHORIZATION OF THE VARIANCE WILL NOT DAMAGE TO PROPERTIES AND VICINITY. 8. I THINK THE CHARACTER OF ZONING DISTRICT WILL NOT BE CHANGED. 9. THE SHED IS VERY NICE AND LOOK GOOD NEIGHBORS ALSO PUBLIC.

RECEIVED  
Department of Planning & Zoning  
SEP 12 2011  
Zoning Evaluation Division

SOUNIN PHONEMANY  
SOUKSAKHONE PHONEMANY  
6007 CRAIG STREET  
SPRINGFIELD, VA. 22150

PORTICAL

THE BZA DETERMINES THAT

THE ERROR WAS EXCEED 10 PERCENT OF THE MEASUREMENT. THERE NO FAULT OF THE PROPERTY OWNER AND THE RESULT OF AN ERROR IN OLD PLATE ALSO BUILDING PERMIT. WOULD LIKE TO LEAVE BECAUSE IT IS LOOK VERY NICE TO PUBLIC AND VICINITY. IT IS SAFE CONDITION TO OTHER PROPERTY AND PUBLIC STREET ALSO VICINITY. THE FORCE OF COMPLIANCE WITH THE MINIMUM YARD REQUIREMENTS WOULD CAUSE UNREASONABLE HARDSHIP UPON THE OWNER BECAUSE THE BUILDING WAS DONE. YES THE REDUCTION WILL NOT RESULT IN AN INCREASE IN DENSITY FROM THAT PERMITTED BY THE APPLICABLE ZONING DISTRICT REGULATIONS. THE REASON I BUILT THE PORTICAL BECAUSE RAIN AND SNOW CAME INSIDE THAT DAMAGED THE FLOOR, THE DOORS AND THE BASEMENT. IT WAS ADDED ON THE PORCH.

SHED

THE BZA DETERMINES THAT

THE ERROR WAS EXCEED 10 PERCENT OF THE MEASUREMENT. THERE NO FAULT OF THE PROPERTY OWNER. WHEN I BUILT THE SHED, I BUILT IT AS THE SAME SIZE OF THE NEIGHBOR'S SHED. THE REASON THAT I BUILT THE NEW SHED WAS BECAUSE THE OLD SHED WAS DAMAGED BY A NEIGHBOR'S FALLING TREE. THAT IS WHY I DID NOT GET A PERMIT FROM THE COUNTY TO BUILD A NEW SHED. IT IS SAFE TO OTHER PROPERTIES AND NEIGHBORS.



RECEIVED  
Department of Planning & Zoning

SEP 12 2011

Zoning Evaluation Division

SOUNIN PHONEMANY  
SOUKSAKHONE PHONEMANY  
6007 CRAIG STREET  
SPRINGFIELD, VA 22150

CONCRETE.

THE BZA DETERMINES THAT  
THE PROPERTY IS IN GOOD FAITH. I DID THE CONCRETE IN 1999. THE  
SHALLOWNESS OF THE CONCRETE IS 4 INCHES. THE NARROWNESS OF THE  
DRIVEWAY IS 10 BY 20. IT'S SAFE TO NEIGHBORS AND OTHER PROPERTIES. THE  
REASON WHY I DID THE CONCRETE BECAUSE THE NEIGHBORS DID THE SAME  
THING. I DID IT SO MY KIDS CAN PLAY BASKETBALL. WE CAN SIT THERE AND  
HAVE BARBEQUES. I DID NOT KNOW THAT I NEEDED TO GET A PERMIT TO DO  
THE DRIVEWAY.

SOUNIN PHONEMANY  
SOUKSAKHONE PHONEMANY  
6007 CRAIG STREET  
SPRINGFIELD,VA.22150

WE HAVE NO HAZARDOUS ON THE PROPERTY.

RECEIVED  
Department of Planning & Zoning  
SEP 09 2011  
Zoning Evaluation Division

August 10, 2011

Sounin Phonemany  
Souksakhone Phonemany  
6007 Craig Street  
Springfield, VA 22150

RE: Permit for 6007 Craig Street  
Springfield, VA 22150

The concrete portion was added to the backyard in 1997. The shed was built later in 1997 after laying the concrete.

I did not know that the concrete exceeded allowed portion (30%) of the backyard by 3% until the inspector came out in 2010 to inform me of the Variance permit.

RECEIVED  
Department of Planning & Zoning

AUG 24 2011

Zoning Evaluation Division



August 10, 2011

Sounin Phonemany  
Souksakhone Phonemany  
6007 Craig Street  
Springfield, VA 22150

RE: Permit for 6007 Craig Street  
Springfield, VA 22150

The house was built in 2007. When the house was finished, the house passed inspection.

In 2010, I added the portico above the existing stoops.

When the inspector came out to do the inspection on the rough-in, the rough-in had passed. When I called for the final inspection, I was unaware that I needed a special permit, until after the portico was added. I did not know that I had gone over the property line.

RECEIVED  
Department of Planning & Development

AUG 24 2011

Zoning Evaluation Division

Department of Code Compliance  
12055 Government Center Parkway, Suite 1016  
Fairfax, VA 22035-9346

RECEIVED  
Department of Planning & Zoning

JUN 17 2011

Zoning Evaluation Division

May 19, 2011

Sounin Phonemany  
Souksakhone Phonemany  
6007 Craig Street  
Springfield, VA 22150

To Whom It May Concern:

As a property owner of the address stated above, I am writing to appeal the notice of violation referenced on January 31, 2011. The Sheriff's letter states the location of violation as:

6007 Craig Street  
Springfield, VA 22150-3247  
Tax Map Ref: 80-3 ((2)) (1) 27  
Zoning District: R-4

Under 10-104 (10E) Accessory Storage Structure Location and 2-302 (6) Accessory Use must comply with Article 10, the Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however if the structure exceeds eight and one-half feet in height, it shall not be located closer than a distance equal to its height to the rear lot or located closer than a distance equal to the minimum required yard to the side lot.

In the case of this violation, there is a presence of a storage structure which measured approximately 9 feet. I would like to argue that this storage structure has been built for over ten years and there has not been a zoning violation thus far. The building of the shed was a replacement of the previous shed that came with the house. The structure was placed in the same location as the previous shed. Additionally, the Zoning Ordinance requests that the structure shall not be closer than a five feet to any rear or side of the property line. With this argument, the storage structures at the above property is the same distance away from neighboring properties and no violation has been ordered. The storage structure serves as a shed, a unit that holds tools and other related items. Although the unit has a garage door, an automobile is not kept in the storage unit. All items previously left outside of the storage unit has been put up beside the storage unit or inside of the storage unit.

Figures 1 and 2 show the steps/stoops and railing before the portico was built in 2007. Inspector approved.

Figures 3 and 4 show the portico built in place of the original railing (Figures 1 and 2). Addition finished in 2010. Error in building location to permit addition to remain 21.0 feet from the front lot line.

Figure 5 shows the shed that had replaced the shed (right-side of the yard) that came with the house when purchased in 1996.

Figure 6 shows the additional concrete to the backyard (1998). Figure 7 shows the remainder of the grass in the backyard. The concrete exceeds the maximum 30% by only 3%.

RECEIVED  
Department of Planning & Zoning  
JUN 17 2011  
Zoning Evaluation Division





**BUILDING PERMIT APPLICATION**

FAIRFAX COUNTY GOVERNMENT  
 PERMIT APPLICATION CENTER  
 12035 Government Center Parkway, 2nd Floor  
 Fairfax, Virginia 22035-5504  
 Telephone: 703-222-0801  
 Web site: <http://www.fairfaxcounty.gov/dpwes>

PERMIT #

101330270

FOR INSPECTIONS CALL: 703-222-0455 (see back for more information)  
 OR VISIT US ON THE WEB AT

[http://www.fairfaxcounty.gov/isisnet/inspection\\_sched.asp](http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp)

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN  
 (PLEASE PRINT OR TYPE)

**JOB LOCATION**  
 ADDRESS 6007 Craig St.  
 LOT # 27 BUILDING \_\_\_\_\_  
 FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_  
 SUBDIVISION Springfield Bldg 10  
 TENANT'S NAME sec 1  
 EMAIL \_\_\_\_\_  
 CONTACT ID \_\_\_\_\_

**OWNER INFORMATION** OWNER ☒ TENANT ☐  
 NAME Sounin Phonemany  
 ADDRESS 6007 Craig St.  
 CITY Springfield STATE VA ZIP 22150  
 TELEPHONE (703) 451-0462  
 EMAIL \_\_\_\_\_  
 CONTACT ID \_\_\_\_\_

**CONTRACTOR INFORMATION** SAME AS OWNER ☒  
 CONTRACTORS MUST PROVIDE THE FOLLOWING:  
 COMPANY NAME Sounin Phonemany  
 ADDRESS 6007 Craig St.  
 CITY Springfield STATE VA ZIP 22150  
 TELEPHONE (703) 451-0462  
 EMAIL \_\_\_\_\_  
 STATE CONTRACTORS LICENSE # \_\_\_\_\_  
 COUNTY BPOL # \_\_\_\_\_  
 CONTACT ID \_\_\_\_\_

**APPLICANT**  
 NAME Sounin Phonemany  
 ADDRESS 6007 Craig St.  
 CITY Springfield STATE VA ZIP 22150  
 TELEPHONE \_\_\_\_\_  
 EMAIL \_\_\_\_\_  
 CONTACT ID \_\_\_\_\_

**DESCRIPTION OF WORK**  
Front porch

**HOUSE TYPE** \_\_\_\_\_  
 ESTIMATED COST OF CONSTRUCTION 4500.00  
 USE GROUP OF BUILDING \_\_\_\_\_  
 TYPE OF CONSTRUCTION \_\_\_\_\_

**DESIGNATED MECHANICS' LIEN AGENT**  
 (Residential Construction Only)  
 NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

NONE DESIGNATED ☒ PHONE \_\_\_\_\_

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # \_\_\_\_\_  
 TAX MAP # \_\_\_\_\_

ROUTING	DATE	APPROVED BY
ENCLOSING		
ZONING		
SUBPERMITS		
HEALTH DEPT		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFESS		

FILE \_\_\_\_\_  
 BILLING FILE \_\_\_\_\_  
 AMOUNT DUE \_\_\_\_\_

**BUILDING PLAN REVIEW**  
 REVIEWER \_\_\_\_\_ # OF HOURS \_\_\_\_\_  
 REVISION FEES \_\_\_\_\_  
 FIRE MARSHAL FEES \_\_\_\_\_  
 FUTURE FEES \_\_\_\_\_

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
 (LOG OUT)  
 BY \_\_\_\_\_ DATE \_\_\_\_\_

**ZONING REVIEW**

USE SF D PR-4  
 ZONING DISTRICT \_\_\_\_\_ HISTORICAL DISTRICT \_\_\_\_\_  
 ZONING CASE # \_\_\_\_\_  
 GROSS FLOOR AREA OF TENANT SPACE \_\_\_\_\_

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT <u>35</u>	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT <u>NC</u>	REMARKS	<u>5x7</u>		
L SIDE <u>NC</u>	<u>Front Porch</u>			
R SIDE <u>NC</u>	<u>16' x 21'</u>			
REAR <u>NC</u>	<u>Per Plans</u>			

**REMARKS**

**A SETBACK CERTIFICATION BASED  
 ON FIELD SURVEY IS REQUIRED  
 PRIOR TO RUP ISSUANCE OR  
 FINAL INSPECTION**

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Sounin Phonemany 5-13-10  
 Signature of Owner or Agent Date  
SOUNIN PHONEMANY  
 Printed Name and Title

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application).

**NOTARIZATION** (if required)

State (or territory or district) of \_\_\_\_\_  
 County (or city) of \_\_\_\_\_, to wit: I,

Notary Public in the State and County aforesaid, do certify that

whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

(Notary Signature)



Building Permit  
Zoning Review

This document does not reflect the final  
Building Permit approval.

12/27/11 3:30:04PM

Bldg Permit #: 101330270

RESIDENTIAL ADDITION

Address: 6007 Craig St Springfield VA 22150-3247

Bldg: N/A Floor: Suite: N/A

Subdiv: Springfield Lt 27 Blk 10 Sec 1

Sub Census: 306.02 Lot Size: 8,825.00

Tax Map: 0803 02100027

Owner: Phonemany Sounin

Phone Day: (703)451-0462 x

Evening:

Contractor:

OWNER IS CONTRACTOR  
(999) 999-9999

Type of Work: ADDITIONAL STORIES

Description of Work: FRONT PORTICO ADDITION

Specific Description of Work:

1 Story Ground	1 Story Crawl	1 Story Bsmt Below	2 Story Ground	2 Story Crawl	2 Story Bsmt below	2nd Story Addn Over Exist Structure
Y	N	N	N	N	N	N

ZPRB Review:

Date

5/13/10

Status

AM00R4

Approved

Zoning Detail Review TAB:

Zoning Dist.	Cluster Subdiv	Use	Wet Bar	2nd Kitchen	ADU Subdiv	Proffer	Setback
R-4	N	SFD	N	N	N	N	Y

Yard/Setbacks:

Dimensions:

Structure	Front (A)	Front (B)	Front (C)	Left	Right	Rear	Structure Dimension	Height	Structure Type
	35.00	0.00	0.00	0.00	0.00	0.00	5 x 7	16.00	ROOFED

DETAILS COMMENTS:

[Home](#) [Living Here](#) [Doing Business](#) [Visiting](#) [Departments & Agencies](#)

Search Site:

## Web Permits

[homepage](#) > [fairfax inspections database online](#) [fido](#) > dynamic portal

Permit information for: 101330270

## Apply for a Permit

## View Plan Status By

Permit #: 101330270

Plan #: W-10-2950

Permit Name: NA

Site Location: 6007 CRAIG ST

Permit Type: RESIDENTIAL ADDITION

Permit Description: FRONT PORTICO ADDITION

Occupancy Type: SINGLE FAMILY DWELLING

Declared Valuation: 4500

Building Information:

Group	Type of Construction
R5	VB

Date Processed: 05/13/2010

Date Issued: 05/20/2010

Applicant/Contact: PHONEMANY SOUKSAKHONE PHONEMANY SOUNIN  
6007 CRAIG ST  
SPRINGFIELD, VA 22150Additional Contractors: OWNER IS CONTRACTOR  
, VA

## View Review Comments

## View Inspection Status By

## View Permits By

## Schedule, Modify or Cancel an Inspection

Contact Us: [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
Phone: County Main Number - 703-FAIRFAX (703-324-7329), TTY 711 | [County Phone Listing](#)[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Accessibility](#) | [Website Accessibility](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)  
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ENTERPRISE

Website Survey



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Search Site:

[Advanced Search](#)

## Web Permits

[homepage](#) > [fairfax inspections database online](#), [fido](#) > dynamic portal

## Apply for a Permit

Permit status for: 101330270

## View Plan Status By

Permit Status: null Effective: 05/20/2010

## Permit #

## Applicant Name

## Address

## Project Name

## View Review Comments

## View inspection Status By

## Permit #

## Applicant Name

## Address

## Project Name

## View Permits By

## Permit #

## Applicant Name

## Address

## Project Name

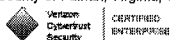
## Schedule, Modify or Cancel an Inspection

Type	Activity Number	Description	Status
Alert		INSPECTION MUST BE SCHEDULED	
Inspection	5079819	FINAL INSPECTION	Detail Canceled
Inspection	5248884	FINAL INSPECTION	Detail No Action
Inspection	5079816	FOOTING INSPECTION	Detail No Action
Inspection	5079817	FRAMING INSPECTION	Detail No Action
Inspection	5088115	FRAMING INSPECTION	Detail Passed
Inspection	5079818	INSULATION INSPECTION	Detail No Action
Review	1920754	BUILDING PLAN REVIEW	Detail Approved
Review	1919794	ZONING PLAN REVIEW	Detail Approved
Review	1919795	SITE PLAN REVIEW	Detail Approved
Review	1919796	BUILDING PLAN REVIEW	Detail Failed
Review	1920321	BUILDING PLAN REVIEW	Detail Failed
Review	1922280	SETBACK REVIEW	Detail Failed
Review	1984354	SETBACK REVIEW	Detail Denied
Fee		FILING FEE (\$0.00)	Paid
Condition	532559	LOG OUT REQUIRED	Detail Approved, APPRVD
Alert		INSPECTION MUST BE SCHEDULED	



Contact Us: [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
Phone: County Main Number - 703-FAIRFAX (703-324-7329), TTY 711 | [County Phone Listing](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)  
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Website Survey



Language Translations



# BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES  
PERMIT APPLICATION CENTER  
12055 Government Center Parkway, 2nd Floor  
Fairfax, Virginia 22035-5504  
Telephone: 703-222-0801  
Web site: www.fairfaxcounty.gov/bcpwv

PERMIT # 05227B 0280

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # 1080-3-02 10.0027  
TAX MAP # R-01-0699

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN  
(PLEASE PRINT OR TYPE)

## JOB LOCATION

ADDRESS 6007 CRAIG STREET  
LOT # 27 BUILDING  
FLOOR SUITE  
SUBDIVISION LEE DISTRICT  
TENANT'S NAME Spring Field Seal TRK

## OWNER INFORMATION

OWNER ☒ TENANT ☐  
NAME SOUNIN PHONEMANY  
ADDRESS 6007 CRAIG STREET  
CITY SPRINGFIELD STATE VA ZIP 22150  
TELEPHONE (703) 451-0462

## CONTRACTOR INFORMATION

SAME AS OWNER ☒  
CONTRACTORS MUST PROVIDE THE FOLLOWING:  
COMPANY NAME  
ADDRESS  
CITY STATE ZIP  
TELEPHONE  
STATE CONTRACTORS LICENSE #  
COUNTY BPOL #

## APPLICANT

X SOUNIN PHONEMANY

## DESCRIPTION OF WORK

ADDITION

## HOUSE TYPE

ESTIMATED COST OF CONSTRUCTION \$150,000  
BLDG AREA (SQ FT OF FOOTPRINT)  
USE GROUP OF BUILDING  
TYPE OF CONSTRUCTION  
SEWER SERVICE PUBLIC ☒ SEPTIC ☐ OTHER ☐  
WATER SERVICE PUBLIC ☒ WELL ☐ OTHER ☐  
OTHER PLEASE SPECIFY

## DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)  
NAME  
ADDRESS

NONE DESIGNATED ☐ PHONE

## CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	EXTER. WALLS
# BATHS	INTER. WALLS
# HALF BATHS	ROOF MATERIAL
# BEDROOMS	FLOOR MATERIAL
# OF ROOMS	FIN. BASEMENT %
# STORIES	HEATING FUEL
BUILDING HEIGHT	HEATING SYSTEM
BUILDING AREA	# FIREPLACES
BASEMENT	

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	2-15-05	Tem
SITE PERMITS	8/17/05	SS SP
HEALTH DEPT.		
BUILDING REVIEW	8-22-05	SS
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$ 190.80  
FILING FEE \$ 95.40  
AMOUNT DUE = \$

## BUILDING PLAN REVIEW

REVIEWER 3/25 # OF HOURS  
REVISION FEES \$ 20.00  
FIRE MARSHAL FEES \$  
FIXTURE UNITS PLAN LOC. J ☐ R ☒

## APPROVED FOR ISSUANCE OF BUILDING PERMIT

(LOG OUT)  
BY DATE

## ZONING REVIEW

USE SFD R-4  
ZONING DISTRICT HISTORICAL DISTRICT  
ZONING CASE #

## GROSS FLOOR AREA OF TENANT SPACE

YARDS	GARAGE 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>
FRONT 32	OPTIONS YES <input type="checkbox"/> NO <input type="checkbox"/>
FRONT NE	REMARKS Build 5x45
L SIDE 21.18.39	1 story addition in front
R SIDE 22.11.02	1 story addition over
REAR 57	Existing 1st level

## GRADING AND DRAINAGE REVIEW

SOILS # 1000 A ☐ B ☒ 9950  
AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) 2254  
IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT)  
PLAN # APPR. DATE

## STAMPS

FF  
2500 mat  
DPUP  
(See reverse side of application)

REMARKS Per 1/1/05  
Plan attached  
No new fig for 2nd floor

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent  
SOUNIN PHONEMANY  
Date 8-5-05

Printed Name and Title  
SOUNIN PHONEMANY Owner

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

## NOTARIZATION (if required)

State (or territory or district) of  
County (or city) of  
Notary Public in the State and County aforesaid, do certify that

whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.

Given under my hand this day of 20  
commission expires the day of 20

(Notary Signature)

# HOUSE LOCATION SURVEY LOT 27 BLK. 10 SEC. 1 SPRINGFIELD

DPW&ES  
Office of Building  
Code Services  
Approved for

MT. VERNON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VA.

INITIAL EARTH DISTURBANCE ON  
THIS LOT SHALL NOT EXCEED  
2500 SQ. FT.

By SS  
Date 8/17/05

DEM  
Division of  
Inspection Services  
Approved for  
DECK

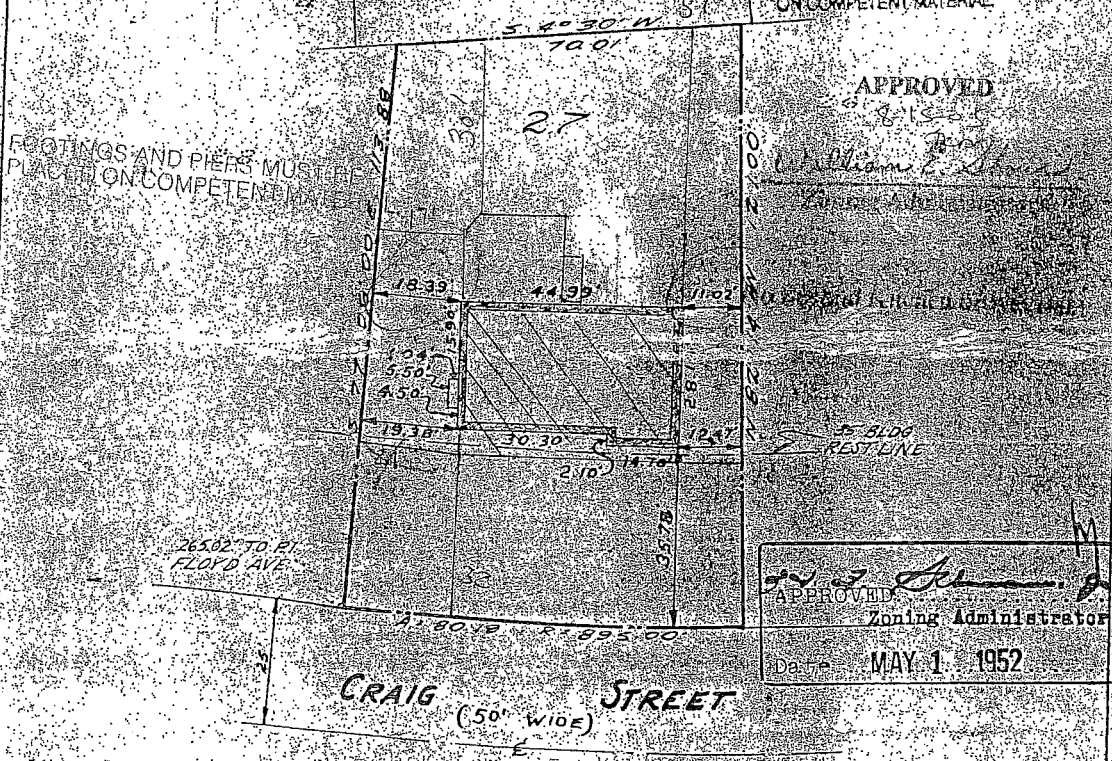
EXCAVATED MATERIAL SHALL BE  
REMOVED FROM SITE  
5/21/96

SCALE 1" = 30'  
Zoning Administrator

DAMP PROOFING/WATERPROOFING  
REQUIRED IN ACCORDANCE WITH  
BUILDING CODES

By VRM  
Date 5/2/96

FOOTINGS AND PIERS MUST BE PLACED  
ON COMPETENT MATERIAL



APPROVED

William E. Shuman  
Zoning Administrator

APPROVED  
Zoning Administrator

Date MAY 1 1952

CERTIFIED CORRECT  
Robert J. Korsch  
CERTIFIED LAND SURVEYOR  
April 25 1952

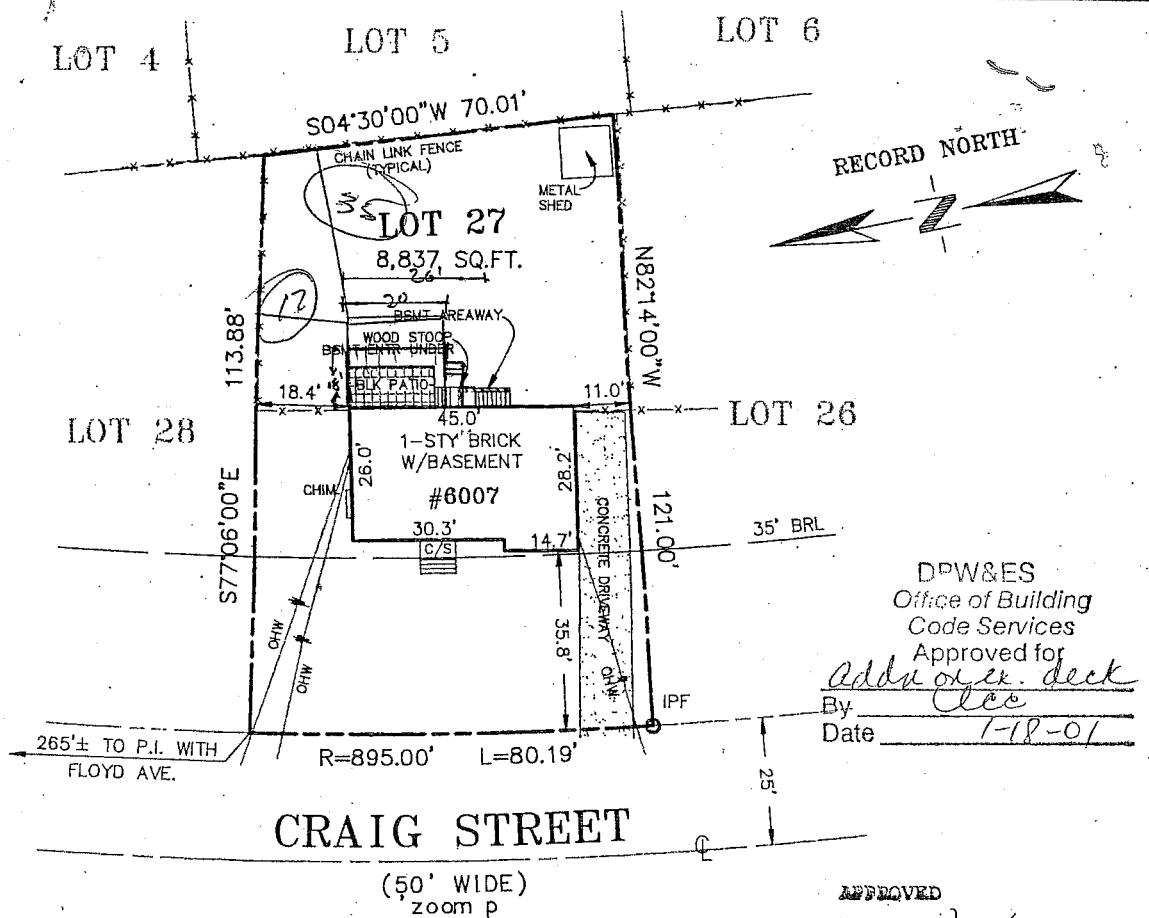
EDWARD S. HOLLAND  
Professional Civil Engineer  
Certified Land Surveyor  
316 S. WASHINGTON ST.  
ALEXANDRIA, VA.

SCALE 1" = 30'  
DATE April 25, 1952  
DRAWN BY DES  
CK'D BY RFK  
JOB NO. VA-765  
FIELD 284 PAGE 39  
BOOK

2500 SQ. FT.

EXCAVATED MATERIAL SHALL BE  
REMOVED FROM SITE

FOOTINGS AND PIERS MUST BE  
PLACED ON COMPETENT MATERIAL

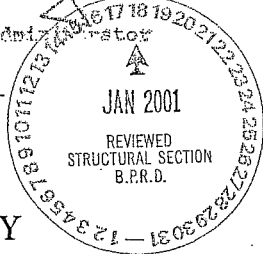


DPW&ES  
Office of Building  
Code Services  
Approved for  
*Add on ex. deck*  
By *Lee*  
Date *1-18-01*

APPROVED

*01/18/01*  
*Lee*

Zoning Administrator



NOTE:  
MARINE CLAYS OR OTHER EXPANSIVE CLAYS **NOTE: SNOW ON GROUND**  
ALL FOUNDATION FOOTINGS MUST EXTEND TO A  
MINIMUM OF 4 FEET BELOW EXISTING  
GRADE TO AVOID SETTLEMENT ON CLAYING SOILS.  
CONSTRUCTION SHALL NOT JEOPARDIZE THE  
STABILITY OF THE EXISTING SLOPES.

# HOUSE LOCATION SURVEY LOT 27, BLOCK 10, SECTION ONE SPRINGFIELD

## LEGEND

BRL = BUILDING RESTRICTION LINE  
CHIM. = CHIMNEY  
STY = STORY  
OHW = OVERHEAD WIRES  
C/S = CONCRETE STOOP  
BLK = CINDER BLOCK  
BSMT ENTR = BASEMENT ENTRANCE  
○ IPF = IRON PIPE FOUND  
NO CORNER MONUMENTATION SET

LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
ENGINEERED FOUNDATION DESIGN REQUIRED

ALL CONSTRUCTION INVOLVING PROBLEM SOILS MUST BE  
PERFORMED UNDER THE FULL TIME INSPECTION OF A  
GEOTECHNICAL ENGINEER. PFM 4-0402

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT  
AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

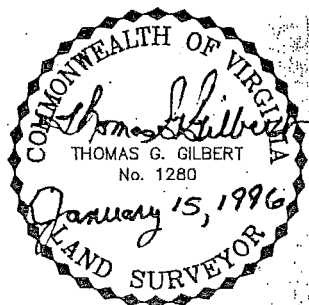
DATE: JANUARY 12, 1996

SCALE: 1" = 30'

**Absolute  
Surveys  
Inc.**

3918 PROSPERITY AVENUE  
SUITE 319  
FAIRFAX, VIRGINIA 22031  
PHONE: (703)-641-0476 FAX: 641-0836

OWNER: HERNANDEZ  
PURCHASER: PHONEMANY  
WORK ORDER #19606  
FLOOD ZONE: X (OUTSIDE 500 YR.  
FLOODPLAIN)  
COMMUNITY NO: 515525  
PANEL: 0100D  
FEMA MAP DATE: 3/5/90



# BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES  
PERMIT APPLICATION CENTER  
12055 Government Center Parkway, 2nd Floor 703-222-0801  
Fairfax, Virginia 22035-5504

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN  
(PLEASE PRINT OR TYPE)

## JOB LOCATION

ADDRESS 6007 CRAIG ST  
LOT # 27 BUILDING B1K1  
FLOOR SUITE  
SUBDIVISION SPRINGFIELD SEC. 1  
TENANT'S NAME OWNER

## OWNER INFORMATION

OWNER ☐ TENANT ☐  
NAME SOUNIN PHONE MANY  
ADDRESS 6007 CRAIG ST  
CITY SPRINGFIELD STATE VA ZIP 20150  
TELEPHONE (703) 451-0462

## CONTRACTOR INFORMATION

CONTRACTORS MUST PROVIDE THE FOLLOWING: SAME AS OWNER ☒  
COMPANY NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
STATE CONTRACTORS LICENSE # \_\_\_\_\_  
COUNTY BPOL # \_\_\_\_\_

## APPLICANT

ROLANDO VEIZAGA

## DESCRIPTION OF WORK

ADDITION, 20 X 18

## HOUSE TYPE

ESTIMATED COST OF CONSTRUCTION 6000.00  
BLDG AREA (SQ FT OF FOOTPRINT) 360 SF  
USE GROUP OF BUILDING \_\_\_\_\_  
TYPE OF CONSTRUCTION ADDITION  
SEWER SERVICE PUBLIC ☐ SEPTIC ☐ OTHER ☐  
WATER SERVICE PUBLIC ☒ SEPTIC ☐ OTHER ☐  
OTHER PLEASE SPECIFY \_\_\_\_\_

## DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

NONE DESIGNATED ☐ PHONE \_\_\_\_\_

## CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	<u>1</u>	EXTER. WALLS	<u>B/C</u>
# BATHS	<u>1</u>	INTER. WALLS	<u>OPENS</u>
# HALF BATHS	<u>1</u>	ROOF MATERIAL	<u>SLATE</u>
# BEDROOMS	<u>2</u>	FLOOR MATERIAL	<u>HARD</u>
# OF ROOMS	<u>5</u>	FIN. BASEMENT	<u>NO</u>
# STORIES	<u>2</u>	HEATING FUEL	<u>SM</u>
BUILDING HEIGHT	<u>13</u>	HEATING SYSTEM	<u>SM</u>
BUILDING AREA		# FIREPLACES	<u>1</u>
BASEMENT			<u>UNFINISHED</u>

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent Rolando Veizaga Date 1/18/2010

Printed Name and Title  
Rolando Veizaga  
Owner

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

## PERMIT #

010183 0650

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY  
PLAN # 10-01-00274  
TAX MAP # 20-3-102/10/077

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>1/18/10</u>	<u>AL</u>
SITE PERMITS	<u>1-18-01</u>	<u>LOAC</u>
HEALTH DEPT		
BUILDING REVIEW	<u>1-18-01</u>	<u>RM-B</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE  
FILING FEE \_\_\_\_\_  
AMOUNT DUE 4.00

BUILDING PLAN REVIEW  
REVIEWER \_\_\_\_\_ # OF HOURS \_\_\_\_\_  
REVISION FEES \$ \_\_\_\_\_  
FIRE MARSHAL FEES \$ \_\_\_\_\_  
FIXTURE UNITS \_\_\_\_\_ PLAN LOC. ☐ J ☐ R ☐

APPROVED FOR ISSUANCE OF BUILDING PERMIT  
(LOG OUT)  
BY 156 DATE 1-18-01

ZONING REVIEW ZONING CLASS R-4  
USE SFD-53

ZONING CASE # \_\_\_\_\_  
GROSS FLOOR AREA OF TENANT SPACE  
YARDS: GARAGE 1 ☐ 2 ☐ 3 ☐  
FRONT OPTIONS YES ☐ NO ☐  
FRONT NC REMARKS \_\_\_\_\_  
L SIDE 17  
R SIDE NC  
REAR 35  
1 story added  
20 x 18 x 13 ft High

GRADING AND DRAINAGE REVIEW  
SOILS # \_\_\_\_\_ A ☐ B ☐ C ☐  
HISTORICAL DISTRICT \_\_\_\_\_  
AREA TO BE DISTURBED (TOTAL SQ FT) 1500  
ADD'L IMPERVIOUS AREA (ADDED SQ FT) 1500  
PLAN # \_\_\_\_\_ APPR. DATE 3/6/07

STAMPS  
ALL CONSTRUCTION INVOLVING PROBLEM SOILS MUST BE PERFORMED UNDER THE FULL TIME INSPECTION OF A GEOTECHNICAL ENGINEER. PFM 4-0402  
(See reverse side of application)

REMARKS  
OP 12 + 18 ft High

## NOTARIZATION (if required)

State (or territory or district) of \_\_\_\_\_  
County (or city) of \_\_\_\_\_, to wit: I, \_\_\_\_\_, a Notary Public in the State and County aforesaid, do certify that \_\_\_\_\_ whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(Notary Signature)

# HOUSE LOCATION SURVEY LOT 27 BLK. 10 SEC. 1 SPRINGFIELD

MT. VERNON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VA.

APPROVED

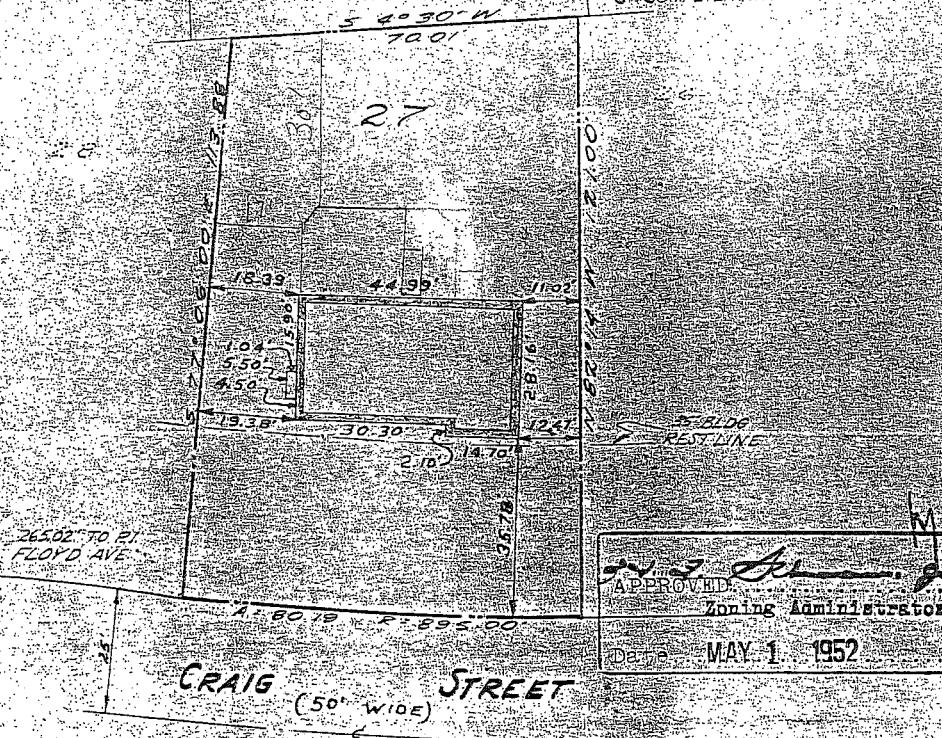
DEM  
Division of  
Inspection Services  
Approved for  
DECID

5/7/56  
SCALE 1"=30'  
ZONING ADMINISTRATOR

By W. H. H.

Date 5/7/56

FOOTINGS AND PIERS MUST BE PLACED  
ON COMPETENT MATERIAL



APPROVED  
Zoning Administrator  
Date MAY 1 1952

CERTIFIED CORRECT

Robert F. Kurach

CERTIFIED LAND SURVEYOR

April 25 1952

EDWARD S. HOLLAND

Professional Civil Engineer

Certified Land Surveyor

816 So. WASHINGTON ST.  
ALEXANDRIA, VA.

SCALE 1"=30'

DATE April 25, 1952

DRAWN BY DES

CK'D BY RFK

JOB NO. VA-705

FIELD 284 PAGE 33  
BOOK



**BUILDING PERMIT APPLICATION**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
FAIRFAX COUNTY, VIRGINIA  
PERMIT APPLICATION CENTER  
12055 Government Center Parkway, 2nd Floor  
Fairfax, Virginia 22035-5504  
(703) 222-0801

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN  
(PLEASE PRINT OR TYPE)

**JOB LOCATION:**ADDRESS 6007 CRAIG STREETLOT # 7.7 BUILDING \_\_\_\_\_

FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_

SUBDIVISION Exp. Sec 1 Bk 10

TENANT'S NAME \_\_\_\_\_

OWNER INFORMATION: OWNER ☒ TENANT ☐NAME SOUNIN PHONEMANYADDRESS 6007 CRAIG STREETCITY SPRINGFIELD STATE VA ZIP 22150TELEPHONE (703) 451-0462**CONTRACTOR INFORMATION:**CHECK IF SAME AS OWNER ☒

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

LOCAL CONTRACTOR LICENSE # \_\_\_\_\_

STATE CONTRACTORS LICENSE # \_\_\_\_\_

COUNTY BUSINESS ACCOUNT # \_\_\_\_\_

APPLICANT For Phonemany**DESCRIPTION OF WORK**Add deck20x18

HOUSE TYPE \_\_\_\_\_

ESTIMATED COST OF CONSTRUCTION \$900.00

BLDG AREA (SQ FT OF FOOTPRINT) \_\_\_\_\_

USE GROUP OF BUILDING R-1

TYPE OF CONSTRUCTION \_\_\_\_\_

SEWER SERVICE: PUBLIC ☒ SEPTIC ☐ OTHER ☐WATER SERVICE: PUBLIC ☒ WELL ☐ OTHER ☐

OTHER PLEASE SPECIFY \_\_\_\_\_

DESIGNATED MECHANICS' LIEN AGENT:  
(Residential Construction Only)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NONE DESIGNATED: ☒ PHONE: \_\_\_\_\_**CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS:**

# KITCHENS	_____	EXTER. WALLS	_____
# BATHS	_____	INTER. WALLS	_____
# HALF BATHS	_____	ROOF MATERIAL	_____
# BEDROOMS	_____	FLOOR MATERIAL	_____
# OF ROOMS	_____	FIN. BASEMENT	_____ %
# STORIES	_____	HEATING FUEL	_____
BUILDING HEIGHT	_____	HEATING SYSTEM	_____
BUILDING AREA	_____	# FIREPLACES	_____
BASEMENT	_____		

Any, and all information, and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent

Date

Printed Name and Title

PERMIT # 9612880140

FOR INSPECTIONS CALL: (703) 222-0455

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # 115-16-04555TAX MAP # 6007-02-70-11-1

ROUTING DATE APPROVED BY

ZONING

SITE PERMITS

SANITATION

HEALTH DEPT.

FIRE MARSHAL

BUILDING REVIEW

LICENSING

ASBESTOS

FEE

FILING FEE

AMOUNT DUE

**BUILDING PLAN REVIEW**

REVIEWER

# OF HOURS

REVISION FEES

FIRE MARSHAL FEES

FIXTURE UNITS

PLAN LOC: J ☐ R ☒**APPROVED FOR ISSUANCE OF BUILDING PERMIT**

BY

DATE

ZONING REVIEW: ZONING CLASS R-1USE Deck

ZONING CASE # \_\_\_\_\_

GROSS FLOOR AREA OF TENANT SPACE \_\_\_\_\_

YARDS: N/CGARAGE: 1 ☐ 2 ☐ 3 ☐FRONT N/COPTIONS: YES ☐ NO ☐

FRONT

REMARKS: \_\_\_\_\_

L SIDE 17R SIDE N/CREAR 30**GRADING AND DRAINAGE REVIEW**SOILS: # Unmodified A ☐ B ☐ C ☐

HISTORICAL DISTRICT \_\_\_\_\_

AREA TO BE DISTURBED (TOTAL SQ FT) \_\_\_\_\_

ADD'L IMPERVIOUS AREA (ADDED SQ FT) \_\_\_\_\_

PROFFERS \_\_\_\_\_

PLAN # \_\_\_\_\_

APPR. DATE \_\_\_\_\_

**STAMPS:**

FOOTINGS AND PIERS MUST BE PLACED  
ON COMPETENT MATERIAL

(See reverse side of application)

**REMARKS:**

23 x 18 includes deck  
Deck - attached 3x4

Notary Signature

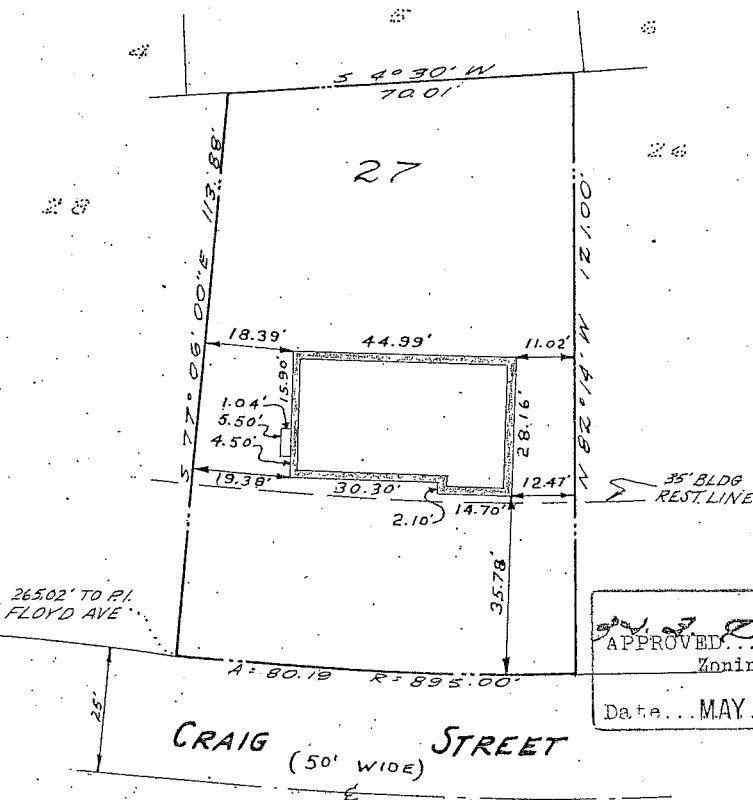
Date

(Notarization required if owner not present at time of application)

# HOUSE LOCATION SURVEY LOT 27 BLK. 10 SEC. 1 SPRINGFIELD

MT. VERNON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VA.

SCALE 1" = 30'



APPROVED *[Signature]*  
Zoning Administrator  
Date... MAY. 1... 1952

CERTIFIED CORRECT

*Robert J. Kirsch*  
CERTIFIED LAND SURVEYOR

April 25 1952

EDWARD S. HOLLAND

Professional Civil Engineer  
Certified Land Surveyor

316 50. WASHINGTON ST.  
ALEXANDRIA, VA.

SCALE 1" = 30'

DATE April 25, 1952

DRAWN BY DES

CK'D BY RFR

JOB NO. VA-705

FIELD 284 PAGE 39  
BOOK



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

January 18, 2011

Sounin Phonemany  
6007 Craig Street  
Springfield, Virginia 22150

Re: Setback Certification – Building Permit #101330270  
6007 Craig Street  
Springfield, Section One, Block 10, Lot 27  
Tax Map Ref: 80-3 ((21)) 27  
Zoning District: R-4

Dear Sounin Phonemany:

This letter is in response to your request for approval of the setback certification for a front porch addition (brick portico) pursuant to Building Permit #101330270. The property is zoned R-4 District and is subject to a minimum front yard requirement of 30 feet, a minimum side yard requirement of 10 feet and a minimum rear yard requirement of 25 feet.

The setback certification has failed for the reasons listed below. A copy of the failed setback certification is enclosed.

- The existing house is located 29.3 from the front lot line, the brick portico at the front of the house is located 23.5 feet from the front lot line and the uncovered front stairs, which exceed 10 feet in width, are located approximately 21 feet from the front lot line. All of these structures are required to meet the minimum front yard requirement of 30 feet.
- A 287 square foot detached garage is located in the rear yard and 1.1 feet from the rear lot line and 0.6 feet from the side lot line. Structures greater than 7 feet in height cannot be located in the minimum required side yard and must be setback a distance of their height from the rear lot line. The height of the garage is measured from the highest point of the structure to the lowest point of finished ground level adjacent to the structure. Structure that are no greater than 7 feet in height can locate anywhere in the side or rear yard. Given the garage use and the size of the structure, it is highly likely that the structure is greater than 7 feet in height. If so, the detached garage does not meet the location requirements. In addition, a Building Permit for this structure would be required and the Department of Planning and Zoning has no evidence in our files that a Building Permit was ever issued for this structure.

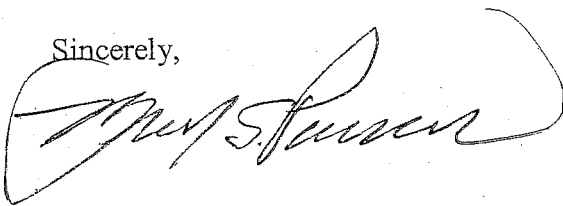
- Under Par. 3 of Sect. 10-103 of the Zoning Ordinance, no more than 30% of the minimum required rear yard can be covered by accessory uses and structures. Based on the Setback Certification plat and aerial photograph, approximately 36% of the minimum required rear yard is covered by accessory structures (garage and concrete area).

To address the issues noted above, the following must occur. (1) An administrative reduction of 0.7 feet of the minimum required front yard must be requested from the Zoning Administrator for the main dwelling unit pursuant to Sect. 2-419 of the Zoning Ordinance. (2) The brick portico and stairs must either be removed or a reduction in minimum required yards special permit must be granted by the Board of Zoning Appeals (BZA). (3) The detached garage must be removed, relocated to meet the accessory structure location regulations discussed above, or an error in building location must be approved by the BZA. (4) The pavement/garage must be removed from the minimum required 25 foot rear yard so that no more than 30% of this area is covered by such structures, or a variance must be approved by the BZA that allows more than 30% of the minimum required rear yard to be covered by concrete and the garage.

Both special permits and variances are subject to standards which must be met to the satisfaction of the BZA before the BZA can approve such applications. All special permits and variances require the submission of an application, plat and fee; notification of adjacent property owners; and a public hearing before the BZA. Information pertaining to special permits and variances is available from the Zoning Evaluation Division at 703-324-1290. If you choose to modify the structures, a revised building plan will be required. With all options, a new setback certification will be required. Finally, all necessary Building Permits must be obtained. Information pertaining to Building Permits is available from the Department of Public Works and Environmental Services at 703-222-0801.

Your cooperation in this matter is greatly appreciated. In addition, this information is being forwarded to the Department of Code Compliance for the appropriate enforcement action. If you have any additional questions, please feel free to contact me at 703-324-1314.

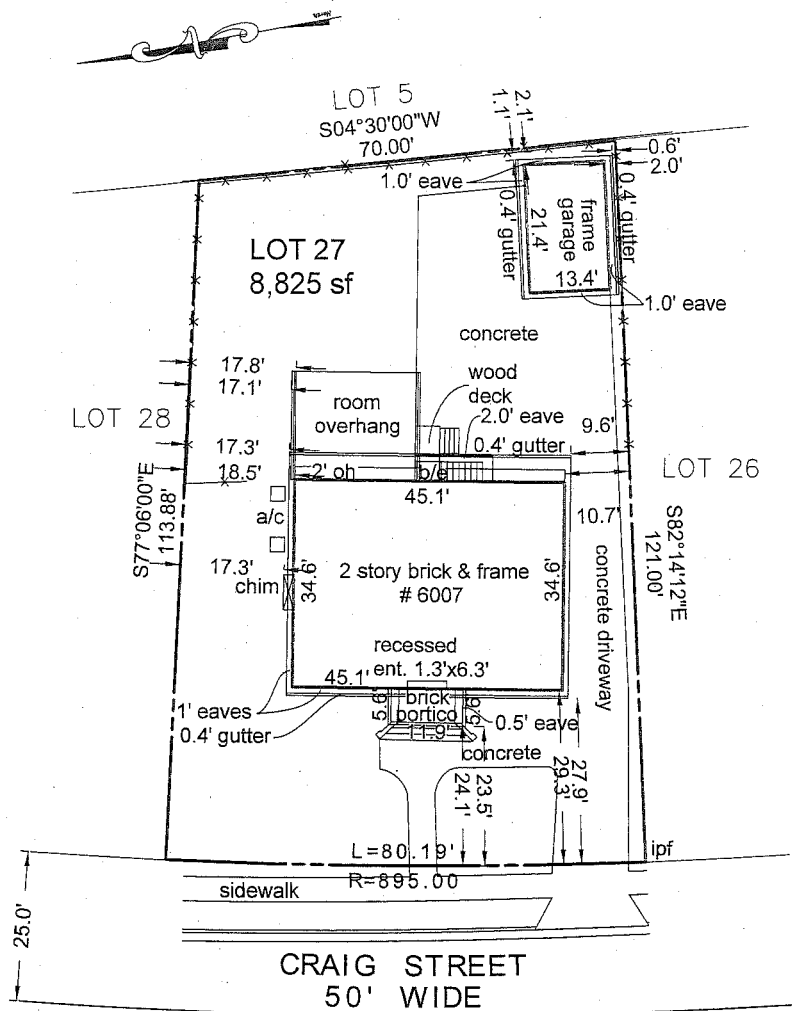
Sincerely,



Brian S. Parsons  
Senior Assistant to the Zoning Administrator

Enclosure: A/S

cc: Jeffrey C. McKay, Supervisor, Lee District  
Eileen McLane, Zoning Administrator  
Michael Congleton, Department of Code Compliance  
Lorrie Kirst, Deputy Zoning Administrator for Ordinance Administration Branch  
Diane Johnson-Quinn, Deputy Zoning Administrator for Zoning Permit Review Branch  
Charles O'Donnell, Residential Inspections Division, DPWES  
Jack W. Weyant, Director, Environmental and Facilities Inspections Division, DPWES



# SETBACK CERTIFICATION

JOB #: 10-0103

LOT 27, BLOCK 10, SECTION 1

SPRINGFIELD

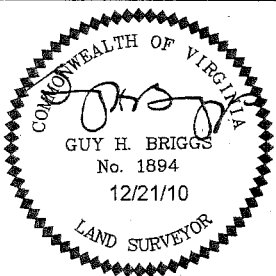
LEE DISTRICT

FAIRFAX COUNTY, VIRGINIA

DECEMBER 21, 2010

SCALE: 1"=25'

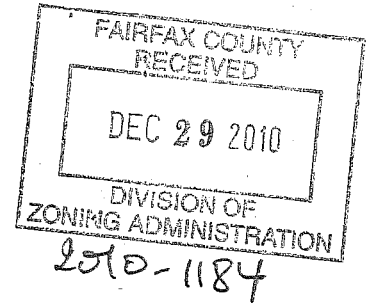
**APEX SURVEYS** 7720 VICEROY STREET 703 866-1236  
SPRINGFIELD, VIRGINIA 22151





# DEPARTMENT OF PLANNING & ZONING

ZONING ADMINISTRATION DIVISION  
12055 Government Center Parkway, Suite 807  
Fairfax, Virginia 22035



## Setback Certification Request

### Applicant's Information:

SOUNIN PHONEMANY  
First Name Last Name

6007 CRAIG STREET  
Address 1

SPRINGFIELD VA 22150  
City State ZIP Code

(703) 451-0462 571 238 2869  
Phone #s

### Property Information:

6007 CRAIG STREET  
Address 1

SPRINGFIELD VA. 22150  
City State ZIP Code

Permit #: 101330270



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

## NOTICE OF VIOLATION

**DATE OF ISSUANCE:** December 29, 2011

### SHERIFF'S LETTER

**CASE #:** 201100346 **SR#:** 67984

**SERVE:** Sounin Phonemany  
Souksakhone Phonemany  
6007 Craig Street  
Springfield, VA 22150

**LOCATION OF VIOLATION** 6007 Craig Street  
Springfield, VA 22150-3247  
Tax Map Ref: 80-3 ((2)) (10) 27  
Zoning District: R-4

Dear Property Owners:

The purpose of this letter is to rescind the Notice of Violation issued to you by letter, dated February 2, 2011, and issue a new Notice of Violation regarding zoning violations on the above-referenced property.

An inspection of the above referenced property on January 31, 2011 revealed the following violations of the Fairfax County Zoning Ordinance.

**§ 10-104 (10E) Accessory Storage Structure Location**  
**§ 2-302 (6) Accessory Use must comply with Article 10:**

The presence of an accessory storage structure which measured approximately nine (9) ft. in height, is approximately 287 square feet in area, and is located approximately 0.6 ft. and approximately 1.1 ft. respectively from the side and rear lot lines.

The Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however, if the structure exceeds eight and one-half (8½) feet in height, it must be located on the lot so as to comply with Par. 10E of Sect. 10-104 of the Zoning Ordinance which states:

**Department of Code Compliance**  
12055 Government Center Parkway, Suite 1016  
Fairfax, Virginia 22035-5508  
Phone 703-324-1300 FAX 703-324-9346  
[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)

An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.

The minimum required side yard distance in the R-4 District is ten (10) ft. as detailed in Par. 2 of Sect. 3-407 of the Zoning Ordinance.

Therefore, as this accessory storage structure exceeds eight and one-half (8 ½) feet in height and is not located in accordance with the provisions of Par. 10E of Sect. 10-104 above, it is in violation of Par. 10E of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by:

- Removing the storage structure from the property in its entirety; or
- Reducing the height of the structure to eight and one-half (8 ½) feet or less to allow it to remain at its present location; or
- Relocating the structure to a distance from the rear and side lot lines in accordance with Par. 10E of Sect. 10-104 of the Zoning Ordinance as outlined above.

As an alternative you may apply to the Fairfax County Board of Zoning Appeals (BZA) and actively pursue and ultimately obtain approval of a Group 9 Special Permit for an error in building location to allow the accessory storage structure to remain at its present height and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

---

**§ 18-601 Building Permit**

**§ 18-603 Compliance with Other Codes:**

A review of Fairfax County Land Development records indicates that a Building Permit was never obtained for the construction/erection of the accessory storage structure as required by Sect. 18-601 of the Zoning Ordinance; and, therefore, is in violation of Sect. 18-601 of the Zoning Ordinance which specifies:

The erection of all buildings and all structures, as well as additions, deletions and modifications thereto, shall be subject to the provisions of Chapter 61 of The Code, Buildings. No building or structure which is required to have a Building Permit pursuant to Chapter 61 of The Code shall be erected until a Building Permit Application has been approved by the Zoning Administrator.

In addition, you are advised a Building Permit can not be issued for the accessory storage structure until the property is in compliance with Par. 1 of Sect. 18-603 of the Zoning Ordinance which states:

No Building Permit shall be issued for the erection of any building or structure on a lot or addition or modification to a building or structure that is in violation of any of the provisions of Chapter 101, Chapter 116 or Chapter 118 of The Code, this Ordinance, all other applicable laws and ordinances, any proffered conditions, or any development conditions of any approved rezoning, special permit, special exception or variance. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 8 of Chapter 118.

You are hereby directed to clear these violations within thirty (30) days after of the date of this notice. Compliance must be accomplished by:

- Removing the accessory storage structure from the property; or
- Applying for and obtaining the Zoning Administrator's approval of a Building Permit for the accessory storage structure.

---

### **§ 2-307 Bulk Regulations**

A setback certification letter of January 18, 2011 from Brian Parsons, Senior Assistant to the Zoning Administrator, informed you that the existing house is located 29.3 feet from the front lot line, the brick portico at the front of the house is located 23.5 feet from the front lot line and the uncovered front stairs, which exceed 10 feet in width, are located approximately 21 feet from the front lot line. All of these structures are required to meet the minimum front yard requirement of 30 feet.

This property is zoned R-4 District and bulk regulations for this district include minimum yard requirements for a single family attached dwelling, which is delineated in Par. 2(A) 1 of Sect. 3-407 of the Fairfax County Zoning Ordinance, which states:

#### **Minimum yard requirements**

##### **A. Single family dwellings**

- (1) Conventional subdivision lot
  - (a) Front yard: 30 feet
  - (b) Side yard: 10 feet
  - (c) Rear yard: 25 feet

Therefore, since the dwelling does not meet the minimum side yard requirements for the R-4 District, it is in violation of Par. 1 of Section 2-307 of the Zoning Ordinance, which states:

Except as may be qualified by the provisions of this Ordinance, no structure or part thereof shall hereafter be built or moved on a lot which does not meet all of the minimum bulk regulations presented for the zoning district in which the structure is located, and no structure shall hereafter be used, occupied or arranged for use on a lot which does not meet all of the minimum bulk regulations presented for the zoning district in which such structure is located.

You are hereby directed to clear these violations within thirty (30) days after of the date of this notice. As Mr. Parsons noted in his letter to you, compliance must be accomplished by:

- An administrative reduction of 0.7 feet of the minimum required front yard must be requested from the Zoning Administrator for the main dwelling unit pursuant to Sect. 2-419 of the Zoning Ordinance, and;
- The brick portico and stairs must either be removed or a reduction in minimum required yards special permit must be granted by the Board of Zoning Appeals (BZA).

---

**§ 10-102 (24) Outdoor Storage**

**§ 2-302 (6) Accessory Use must comply with Article 10:**

An inspection has determined that you are allowing the storage of items in the back yard of the address listed above. These items include, but are not limited to, the following:

Ladders, bricks, lumber, metal barrels, numerous propane tanks, cardboard boxes, plastic containers and crates, hose or flexible piping, window air conditioning units and cores, metal scaffolding, a gutter, wooden pallets, an open trailer containing water heaters and appliances, and other miscellaneous items.



This outdoor storage:

- Exceeds 100 square feet in area, and
- Is not located in the rear half of the lot, and
- Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

- Removing all outdoor storage from this lot; or
- Relocation of the outdoor storage to the rear half of the lot, and
- Screening it from the view from the first story window of any neighboring dwelling, and
- Limiting it to a total area not exceeding 100 square feet.

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**§ 2-302 (5) Junk Yard in a Residential District:**

You are storing in the back yard of this property the following materials, debris and junk:

Ladders, bricks, lumber, metal barrels, numerous propane tanks, cardboard boxes, plastic containers and crates, hose or flexible piping, window air conditioning units and cores, metal scaffolding, a gutter, wooden pallets, an open trailer containing water heaters and appliances, and other miscellaneous items.

The use of the property for the storage of the afore-described items constitutes a junk yard, which is defined in Part 3 of Article 20 of the Fairfax County Zoning Ordinance as:

The use of any space, whether inside or outside a building, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided that this definition shall not apply to outside storage as permitted as an accessory use under the provisions of Sect. 10-102. A junk yard shall also be inclusive of an AUTOMOBILE GRAVEYARD as defined herein.

A junk yard is not a permitted use in the R-3 District. Therefore, you are in violation of Par. 5 of Sect. 2-302 of the Zoning Ordinance which states:

No use shall be allowed in any district which is not permitted by the regulations for the district.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following procedures:

- Removing all junk, debris and materials that constitutes a junk yard, and
- Ceasing the use of the property as a junk yard.

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#### **§ 10-103 (3) Structures Less 30% Area**

All uses and structures accessory to single family detached dwelling, to include those extensions permitted by Sect. 2-412, shall cover no more than thirty (30) percent of the area of the minimum required rear yard.

A setback certification letter of January 18, 2011 from Brian Parsons, Senior Assistant to the Zoning Administrator, informed you that under Par. 3 of Sect. 10-103 of the Zoning Ordinance, no more than 30% of the minimum required rear yard can be covered by accessory uses and structures. Based on the Setback Certification plat and an aerial photograph, approximately 36% of the minimum required rear yard is covered by accessory structures (garage and concrete area).

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

The pavement/garage must be removed from the minimum required 25 foot rear yard so that no more than 30% of this area is covered by such structures, to include pavement, or a variance must be approved by the BZA that allows more than 30% of the minimum required rear yard to be covered by concrete and the garage.

Sounin Phonemany  
Souksakhone Phonemany  
December 29, 2011  
Page 7

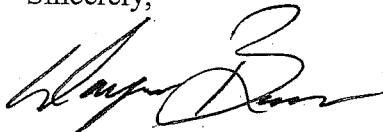
Both special permits and variances are subject to standards which must be met to the satisfaction of the BZA before the BZA can approve such applications. All special permits and variances require the submission of an application, plat and fee; notification of adjacent property owners; and a public hearing before the BZA. Information pertaining to special permits and variances is available from the Zoning Evaluation Division at 703-324-1290. If you choose to modify the structures, a revised building plan will be required. With all options, a new setback certification will be required. Finally, all necessary Building Permits must be obtained. Information pertaining to Building Permits is available from the Department of Public Works and Environmental Services at 703-222-0801.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Should you have any questions or need additional information, please do not hesitate to contact me at (703) 324-1931 or (703) 324-1300.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Bass', written over a horizontal line.

Wayne Bass  
Code Compliance Investigator



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

## NOTICE OF VIOLATION

DATE OF ISSUANCE: February 2, 2011

### SHERIFF'S LETTER

CASE #: 201100346 SR#: 67984

**SERVE:**

Sounin Phonemany  
Souksakhone Phonemany  
6007 Craig Street  
Springfield, VA 22150

**LOCATION  
OF VIOLATION**

6007 Craig Street  
Springfield, VA 22150-3247  
Tax Map Ref: 80-3 ((2)) (1) 27  
Zoning District: R-4

Dear Property Owners:

An inspection of the above referenced property on January 31, 2011 revealed the following violations of the Fairfax County Zoning Ordinance.

**§ 10-104 (10E) Accessory Storage Structure Location**  
**§ 2-302 (6) Accessory Use must comply with Article 10:**

The presence of an accessory storage structure which measured approximately nine (9) ft. in height, is approximately 287 square feet in area, and is located approximately 0.6 ft. and approximately 1.1 ft. respectively from the side and rear lot lines.

The Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however, if the structure exceeds eight and one-half (8½) feet in height, it must be located on the lot so as to comply with Par. 10E of Sect. 10-104 of the Zoning Ordinance which states:

An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal

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Department of Code Compliance  
12055 Government Center Parkway, Suite 1016  
Fairfax, Virginia 22035-5508  
Phone 703-324-1300 FAX 703-324-9346  
[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)

to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.

The minimum required side yard distance in the R-4 District is ten (10) ft. as detailed in Par. 2 of Sect. 3-407 of the Zoning Ordinance.

Therefore, as this accessory storage structure exceeds eight and one-half (8 ½) feet in height and is not located in accordance with the provisions of Par. 10E of Sect. 10-104 above, it is in violation of Par. 10E of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by:

- Removing the storage structure from the property in its entirety; or
- Reducing the height of the structure to eight and one-half (8 ½) feet or less to allow it to remain at its present location; or
- Relocating the structure to a distance from the rear and side lot lines in accordance with Par. 10E of Sect. 10-104 of the Zoning Ordinance as outlined above.

As an alternative you may apply to the Fairfax County Board of Zoning Appeals (BZA) and actively pursue and ultimately obtain approval of a Group 9 Special Permit for an error in building location to allow the accessory storage structure to remain at its present height and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

---

**§ 18-601 Building Permit**

**§ 18-603 Compliance with Other Codes:**

A review of Fairfax County Land Development records indicates that a Building Permit was never obtained for the construction/erection of the accessory storage structure as required by Sect. 18-601 of the Zoning Ordinance; and, therefore, is in violation of Sect. 18-601 of the Zoning Ordinance which specifies:

The erection of all buildings and all structures, as well as additions, deletions and modifications thereto, shall be subject to the provisions of Chapter 61 of The Code, Buildings. No building or



structure which is required to have a Building Permit pursuant to Chapter 61 of The Code shall be erected until a Building Permit Application has been approved by the Zoning Administrator.

In addition, you are advised a Building Permit can not be issued for the accessory storage structure until the property is in compliance with Par. 1 of Sect. 18-603 of the Zoning Ordinance which states:

No Building Permit shall be issued for the erection of any building or structure on a lot or addition or modification to a building or structure that is in violation of any of the provisions of Chapter 101, Chapter 116 or Chapter 118 of The Code, this Ordinance, all other applicable laws and ordinances, any proffered conditions, or any development conditions of any approved rezoning, special permit, special exception or variance. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 8 of Chapter 118.

You are hereby directed to clear these violations within thirty (30) days after of the date of this notice. Compliance must be accomplished by:

- Removing the accessory storage structure from the property; or
- Applying for and obtaining the Zoning Administrator's approval of a Building Permit for the accessory storage structure.

---

### § 2-307 Bulk Regulations

A setback certification letter of January 18, 2011 from Brian Parsons, Senior Assistant to the Zoning Administrator, informed you that the existing house is located 29.3 feet from the front lot line, the brick portico at the front of the house is located 23.5 feet from the front lot line and the uncovered front stairs, which exceed 10 feet in width, are located approximately 21 feet from the front lot line. All of these structures are required to meet the minimum front yard requirement of 30 feet.

This property is zoned R-4 District and bulk regulations for this district include minimum yard requirements for a single family attached dwelling, which is delineated in Par. 2(A) 1 of Sect. 3-407 of the Fairfax County Zoning Ordinance, which states:

#### Minimum yard requirements

##### A. Single family dwellings

##### (1) Conventional subdivision lot

- (a) Front yard: 30 feet

(b) Side yard: 10 feet

(c) Rear yard: 25 feet

Therefore, since the dwelling does not meet the minimum side yard requirements for the R-4 District, it is in violation of Par. 1 of Section 2-307 of the Zoning Ordinance, which states:

Except as may be qualified by the provisions of this Ordinance, no structure or part thereof shall hereafter be built or moved on a lot which does not meet all of the minimum bulk regulations presented for the zoning district in which the structure is located, and no structure shall hereafter be used, occupied or arranged for use on a lot which does not meet all of the minimum bulk regulations presented for the zoning district in which such structure is located.

You are hereby directed to clear these violations within thirty (30) days after of the date of this notice. As Mr. Parsons noted in his letter to you, compliance must be accomplished by:

- An administrative reduction of 0.7 feet of the minimum required front yard must be requested from the Zoning Administrator for the main dwelling unit pursuant to Sect. 2-419 of the Zoning Ordinance, and;
- The brick portico and stairs must either be removed or a reduction in minimum required yards special permit must be granted by the Board of Zoning Appeals (BZA).

---

**§ 10-102 (24) Outdoor Storage**

**§ 2-302 (6) Accessory Use must comply with Article 10:**

An inspection has determined that you are allowing the storage of items in the back yard of the address listed above. These items include, but are not limited to, the following:

Ladders, bricks, lumber, metal barrels, numerous propane tanks, cardboard boxes, plastic containers and crates, hose or flexible piping, window air conditioning units and cores, metal scaffolding, a gutter, wooden pallets, an open trailer containing water heaters and appliances, and other miscellaneous items.

This outdoor storage:

Exceeds 100 square feet in area, and

Is not located in the rear half of the lot, and

Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

- Removing all outdoor storage from this lot; or
- Relocation of the outdoor storage to the rear half of the lot, and
- Screening it from the view from the first story window of any neighboring dwelling, and
- Limiting it to a total area not exceeding 100 square feet.

---

**§ 2-302 (5) Junk Yard in a Residential District:**

You are storing in the back yard of this property the following materials, debris and junk:

Ladders, bricks, lumber, metal barrels, numerous propane tanks, cardboard boxes, plastic containers and crates, hose or flexible piping, window air conditioning units and cores, metal scaffolding, a gutter, wooden pallets, an open trailer containing water heaters and appliances, and other miscellaneous items.

The use of the property for the storage of the afore-described items constitutes a junk yard, which is defined in Part 3 of Article 20 of the Fairfax County Zoning Ordinance as:

The use of any space, whether inside or outside a building, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided that this definition shall not apply to outside storage as permitted as an accessory use under the provisions of

Sect. 10-102. A junk yard shall also be inclusive of an AUTOMOBILE GRAVEYARD as defined herein.

A junk yard is not a permitted use in the R-3 District. Therefore, you are in violation of Par. 5 of Sect. 2-302 of the Zoning Ordinance which states:

No use shall be allowed in any district which is not permitted by the regulations for the district.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following procedures:

- Removing all junk, debris and materials that constitutes a junk yard, and
- Ceasing the use of the property as a junk yard.

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#### § 10-103 (3) Structures Less 30% Area

All uses and structures accessory to single family detached dwelling, to include those extensions permitted by Sect. 2-412, shall cover no more than thirty (30) percent of the area of the minimum required rear yard.

A setback certification letter of January 18, 2011 from Brian Parsons, Senior Assistant to the Zoning Administrator, informed you that under Par. 3 of Sect. 10-103 of the Zoning Ordinance, no more than 30% of the minimum required rear yard can be covered by accessory uses and structures. Based on the Setback Certification plat and an aerial photograph, approximately 36% of the minimum required rear yard is covered by accessory structures (garage and concrete area).

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

The pavement/garage must be removed from the minimum required 25 foot rear yard so that no more than 30% of this area is covered by such structures, to include pavement, or a variance must be approved by the BZA that allows more than 30% of the minimum required rear yard to be covered by concrete and the garage.

Both special permits and variances are subject to standards which must be met to the satisfaction of the BZA before the BZA can approve such applications. All special permits and variances require the submission of an application, plat and fee; notification of adjacent property owners; and a public hearing before the BZA. Information pertaining to special permits and variances is available from the Zoning Evaluation Division at 703-324-1290. If you choose to modify the structures, a revised building plan will be required. With all options, a new

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setback certification will be required. Finally, all necessary Building Permits must be obtained. Information pertaining to Building Permits is available from the Department of Public Works and Environmental Services at 703-222-0801.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Should you have any questions or need additional information, please do not hesitate to contact me at (703) 324-1931 or (703) 324-1300.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Bass", written over a horizontal line.

Wayne Bass  
Property Maintenance/Zoning Enforcement Inspector

## **8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.



### **8-903 Standards for All Group 9 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

**8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location**

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
  - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
  - B. Total area of the property and of each zoning district in square feet or acres.
  - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
  - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
  - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
  - F. Means of ingress and egress to the property from a public street(s).
  - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
  - H. If applicable, the location of well and/or septic field.
  - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
  - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
  - K. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

2. The BZA determines that:
  - A. The error exceeds ten (10) percent of the measurement involved, and
  - B. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
  - C. Such reduction will not impair the purpose and intent of this Ordinance, and
  - D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
  - E. It will not create an unsafe condition with respect to both other property and public streets, and
  - F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
  - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.